



**CITY OF COLUMBUS
BOARD OF ZONING APPEALS
(April 23, 2013 Meeting)**

STAFF REPORT

Docket No. / Project Title: C/CU-13-07 & C/DS-13-11 (First Assembly of God)
Staff: Thom Weintraut
Applicant: First Assembly of God
Property Size: 3.84 Acres
Zoning: RS-4 (Residential: Single-Family 4)
Location: 2100 10th Street, in the City of Columbus

Background Summary:

The applicant has indicated that the proposed conditional use will allow the placement of an LED freestanding monument sign as per Zoning Ordinance Section 10 (Table 10.1). They are also requesting a development standards variance from Zoning Ordinance Section 10 (Table 10.1) for that freestanding sign to exceed the maximum height of 6 feet by 1 ¼ feet for a total height of 7 ¼ feet.

Key Issue Summary:

The following key issue(s) should be resolved through the consideration of this application:

1. Will the LED lighting have a negative effect on nearby homes?
2. Is the height of the sign appropriate?

Preliminary Staff Recommendation:

Conditional Use Request: Approval of the request for a new sign with the conditions:

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 neighboring properties to insure that the nighttime luminance of the LED sign does not impact the neighboring properties.

Development Standards Variance Request: Approval

Zoning 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, employment and convenience goods.

Current Property Information:	
Land Use:	Worship facility

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

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

Interdepartmental Review:	
City Engineering:	The proposed variance will not significantly impact access, drainage, or site distance on the site.
City Utilities:	None provided.

Planning Consideration(s):

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

1. The First Assembly Of God Church is proposing to replace an existing sign that is approximately 12 feet above grade. The current sign base is located within a planter that is 2 ¼ feet high and was designed to match the church building. With the existing base being 2 ¼ feet above grade there is only 3 ¾ for the height of the sign which does not allow enough area for a LED sign field. The proposed overall height of the sign itself is approximately 5 feet high making the total height of the sign 7 ¼ feet.
2. The proposed sign area, approximately 38 sq. ft., is less than the maximum allowed area of 50 sq. ft. in the RS4 single-family zoning district.
3. LED signs use high level luminance in order to make the message visible during the daylight hours. A LED sign relies on the brightness or intensity of the luminance of the light emitting diodes to make the message readable during the daytime. A traditional sign face uses reflected daylight to make the sign readable by day and then is lighted either internally behind the sign panel or externally reflected on to the surface for nighttime visibility. The intensity of the LED lighting could create glare to motorist driving at night as well as becoming a nuisance to the adjoining properties. LED signs can be programed to reduce the luminance as the daytime turns to night.
4. The nearest adjacent residential structures to the south is approximately 90 feet and to the west across Iowa street is 105 feet.

5. In 1997 the church was granted approval of modification to an approved landscape plan (SU-97-13) that was related to the rezoning of the church property to SU-1 in 1996 (RZ-96-16). At that time the property was located in a Special Use zoning district and therefore landscaping was determined by the Plan Commission. Much of the required landscaping along the frontages of both 10th and Iowa Streets is missing. In addition, the buffer along the north property is missing plant material as well as two pear trees in the parking lot island.

Comprehensive Plan Consideration(s):

The Comprehensive Plan designates the future land use of properties in this area as Residential.

The Comprehensive Plan includes this property in the Columbus Central Neighborhoods character area.

The following Comprehensive Plan goal(s) and/or policy(ies) apply to this application:

1. **Policy A-2-9:** Preserve and enhance the character of neighborhoods.
2. **Policy A-2-11:** Encourage all new development to be in scale (height, area, mass, setback, etc.) with its surroundings, determined on a neighborhood-by-neighborhood basis.

Provisional Findings of Fact/Decision Criteria (Conditional Use):

Section 12.4(D) of the Zoning Ordinance permits the Board of Zoning Appeals to allow conditional uses that meet the criteria listed below. The Board may impose reasonable conditions as part of an approval.

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

Provisional Findings: The proposed freestanding sign is not located in the right-of-way or within the sight visibility triangles. The sign will replace an existing sign that is almost two times taller than what is allowed in the RS4 (Residential: Single-Family 4) zoning district. *This criterion has been met.*

2. **The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.**

Provisional Findings: The request is for the replacement of an existing freestanding sign. The area of the new sign is less than the maximum allowed under the Zoning Ordinance. The petitioners are requesting a development standards variance to allow the sign to exceed the maximum permitted height. *This criterion has been met.*

3. **Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.**

Provisional Findings: LED signs use high luminance in order to make the message readable during daylight hours. The higher luminance can be a nuisance to drivers as well as neighboring properties. The sign is located less than 100 feet from residential properties to the south along 10th Street and 105 feet from properties to the west across Iowa Street. If the sign is design to reduce the luminance after dark, the sign should not impact properties in the vicinity. *This criterion has been met.*

4. **The proposed use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.**

Provisional Findings: The freestanding sign will be less than the maximum area allowed under the Zoning Ordinance. The size and scale of the sign will be in character with the surrounding residential neighborhood. *This criterion has been met.*

Board of Zoning Appeals Options:

In reviewing a request for conditional use 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.

Provisional Findings of Fact/Decision Criteria (Development Standards Variance):

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:

- 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 will not be located in any public right-of-way or the intersection visibility area of the adjacent street and driveways. The area of the sign meets the requirements of 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 10th Street directly in front of building 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 2.25 feet above the surrounding grade. The actual height of the sign is 5 feet which is less than the maximum allowed sign height of 6 feet in a residential zoning district. *This criterion has 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
Conditional Use Application

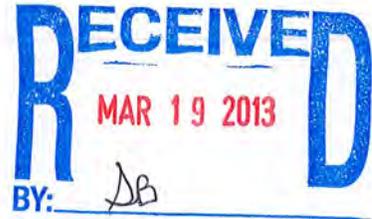
Planning Department Use Only:

Jurisdiction: Columbus ___ Bartholomew County

Zoning: RS 4

Docket No.: C/CU-13-07

Hearing Procedure: ___ Hearing Officer Board of Zoning Appeals



Conditional Use Application:

Applicant Information:

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.: 376-9190 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 ST. 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):

NE CORNER OF TENTH & IOWA STREETS

Conditional Use Requested:

I am requesting a conditional use as listed by Section 10 Table 10.1 of the Zoning Ordinance to allow the following:

To allow a freestanding sign in the RS4 zoning district.

Conditional Use Criteria:

The Columbus & Bartholomew County Zoning Ordinance establishes specific criteria that must be met in order for a conditional use to be approved. Describe how the conditional use requested meets each of the following criteria.

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

The new sign will replace an existing sign that is approximately 18' tall. The new sign will re-use the stone sign base & planter. The existing sign is not 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 shorter than the existing. The replacement of the old sign will not pose a traffic hazard, or be injurious to the public in any other way.

The development of the property will be consistent with the intent of the development standards established by the Zoning Ordinance for similar uses.

A new sanctuary was added to the site in 1997. Site improvements were made at that time to bring the site into compliance with the development standards. Much of the landscaping that was installed at that time has since died or been removed as a result of the 2008 flood, time and the elements. The landscaping elements that were required by the approval in 1997 will be replaced as part of this project.

Granting the conditional use will not be contrary to the general purposes served by the Zoning Ordinance, and will not permanently injure other property or uses in the same zoning district and vicinity.

A worship facility is specifically listed as a conditional primary use in section 3.9 (B) of the zoning ordinance. The replacement of the existing sign and landscaping will be consistent with the manner in which the property has been used for over 50 years. There will be no site improvements or activities conducted on the site that would be injurious to the adjacent properties.

The conditional use will be consistent with the character of the zoning district in which it is located and the recommendations of the Comprehensive Plan.

The site is located in an RS-4 zoning district. The surrounding properties are predominantly used and zoned residential. The size and function of this church facility could be characterized as a neighborhood church, which is encouraged by the Comprehensive plan. This church compliments the surrounding area by providing services to the residents that is close to their homes.

Applicant's Signature:

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

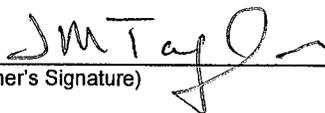


(Applicant's Signature)

(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.



(Owner's Signature)

(Date)

(Owner's Signature)

(Date)

**Columbus – Bartholomew County Planning Department
Development Standards Variance Application**

Planning Department Use Only:

Jurisdiction: X Columbus ___ Bartholomew County

Zoning: RS4

Docket No.: C/DS 13-11

Hearing Procedure: ___ Hearing Officer X Board of Zoning Appeals



Development Standards Variance Application:

Applicant Information:

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.: 376-9190 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 ST. 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):

NE CORNER OF TENTH & IOWA STREETS

Variance Requested:

I am requesting a variance from Section 10 Table 10.1 of the Zoning Ordinance to allow the following:

To allow a free standing sign to exceed the maximum hight of 6 feet.

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' tall. The new sign will re-use the stone sign base & planter. The existing sign is not 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 shorter than the existing. 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.

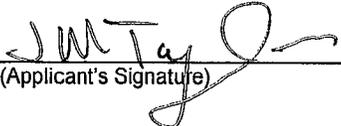
This site has been used by the church congregation to hold worship services and other meetings for over 50 years. The existing sign that is being replaced has been there for 30 plus years. The upgrade of the sign will improve the overall appearance of the church campus which is a positive change for 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' height limitation did not exist. The base itself is 2'-3" tall, leaving only 3'-9" for the sign itself, take away the needed border for the sign, and there is not enough space left for a standard size LED sign field.

Applicant's Signature:

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

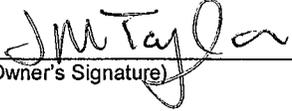


(Applicant's Signature)

(Date)

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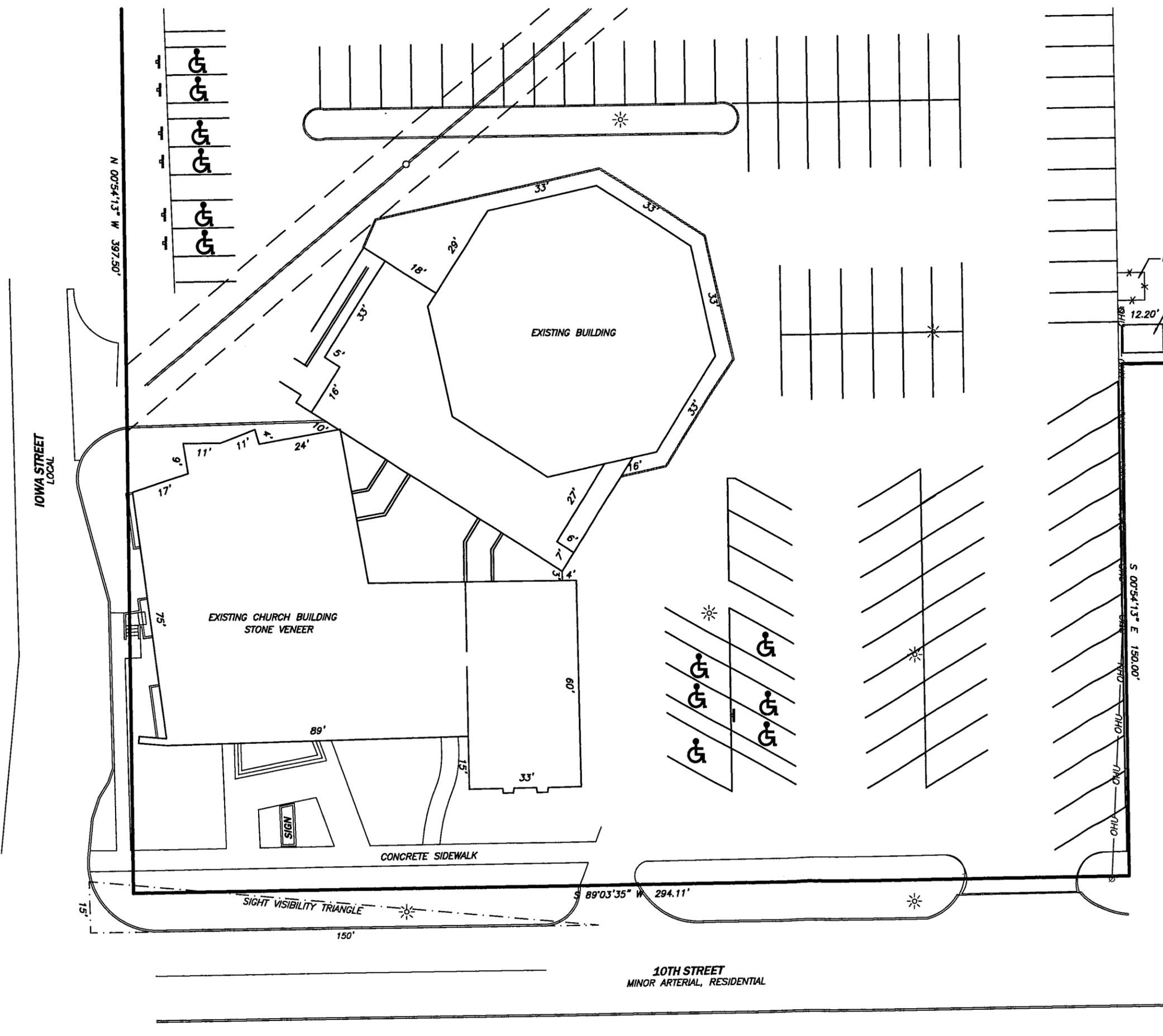


(Owner's Signature)

(Date)

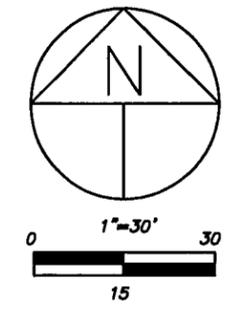
(Owner's Signature)

(Date)



LEGEND

- = LIGHT POLE
- = HANDICAP PARKING SIGN POST
- = HANDICAP PARKING SPACE
- = CONIFER TREE
- = DECIDUOUS TREE
- = OVER HEAD UTILITIES
- = FENCE

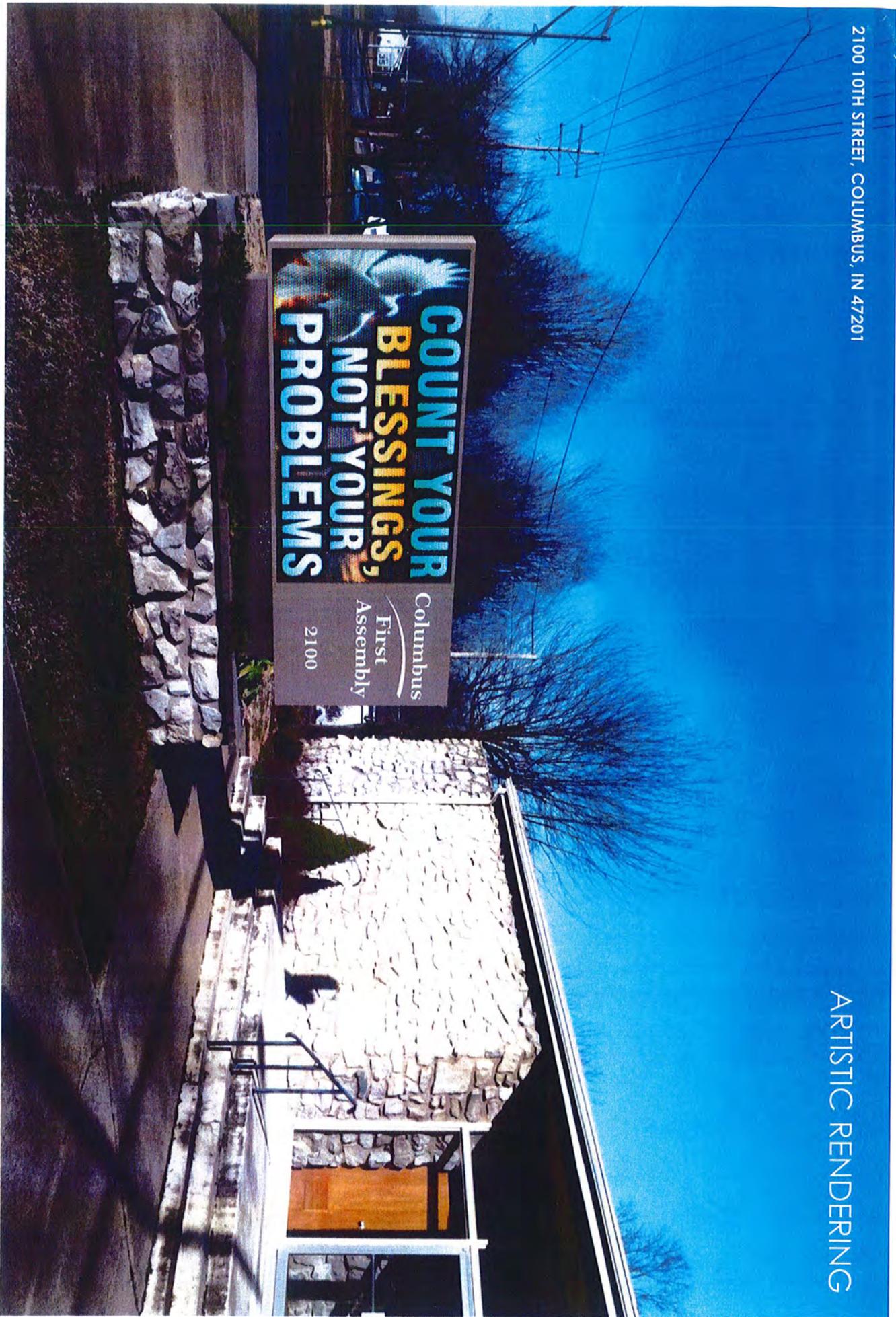


REV.NO.	DATE	DESCRIPTION	BY:
CROWDER AND DARNALL INC. LAND SURVEYING 826 3RD STREET COLUMBUS INDIANA 47201 (812) 376-3391			
VARIANCE EXHIBIT COLUMBUS FIRST ASSEMBLY OF GOD			
JOB NO:	9601-1U	SHEET:	1 OF 1
FILE NAME: Q:\96JOBS\9601-1U\Site Plan.dwg			

10TH STREET
MINOR ARTERIAL, RESIDENTIAL

2100 10TH STREET, COLUMBUS, IN 47201

ARTISTIC RENDERING



Columbus First Assembly of God

CLIENT: Jerry Johnson
 SALES CONSULTANT: 01/24/13
 PROPOSAL ID: 130102-1023-F
 DRAWING NUMBER: 130102-1023-F

DATE: 01/24/13
 PANTONE + COLORS (IF APPLICABLE):
 APPROVED BY: _____

DATE: _____

ARTIST: G. Ruiz - Art Director

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