

1301 Twelfth Street, Suite 400  
Altoona, Pennsylvania 16601

Voice - 814/949-2470  
Fax - 814/949-0372  
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planning@altoonapa.gov



Michael Halloran  
Horace McAnuff  
Richard Andrews  
Donna Royer  
Cory Gehret  
Julie Hirschak, Alternate

**ALTOONA ZONING HEARING BOARD**

Devin Mullen,  
Your Jewelry Box  
908 Logan Boulevard  
Altoona, PA 16602

Tom Bennett  
Altoona Neon Sign  
809 South 10th Street  
Altoona, PA 16602

RE: Request of 908 Logan Boulevard for an LED Message Board  
on premises in a light industrial zone.

Your petitioner, Devin Mullen, appeared and the landowner, Christopher Mullen,  
appeared on behalf of petitioner. No one appeared in opposition to the petition.

From the uncontradicted testimony presented at the hearing of April 11, 2018, the  
Board's view of the subject premises, the Board makes the following:

**FINDINGS OF FACT**

1.

Your petitioner has an ownership interest in the subject property.

2.

Requisite notices were made and the property posted.

3.

The subject sign is one which faces Logan Boulevard in a light industrial zone.

4.

There are no residences in the immediate area with which any type of signage could  
interfere.



Printed on Recycled Paper

5.

A proposed sign is necessary in the reasonable and ordinary course of business to continue and maintain the business, attract customers, and advertise to potential customers of the products and services offered therein.

6.

Your petitioner has indicated that there will be no off-premises businesses advertised on the proposed sign and as such it will not be used for advertisement or billboard for third party businesses.

7.

The petitioner has verified that this type of sign will be controlled by a computer so as to prevent flashing or extreme brightness which could interfere with a driver's attention to the roadway.

8.

The proposed sign would allow modern technology signage while not interfering with the surrounding uses.

9.

Your petitioner has indicated that he and the sign company are aware of the restrictions for brightness and time of day operation as are set forth in the Altoona City Planning Code.

From the foregoing testimony, the Board makes the following:

#### CONCLUSIONS OF LAW

1.

Your petitioner has adequately shown that there exist unique circumstances which justify a special exception to the current zoning ordinance.

2.

The proposed sign will not impact residences or motorists due to the sign's specific degree of brightness and hours of operation.

3.

The proposed sign will be similar in size to the current existing sign.

WHEREFORE, the Board makes the following:

DECISION

WHEREFORE, THIS 18<sup>th</sup> DAY OF APRIL, A.D., 2018, THE BOARD GRANTS THE REQUEST OF YOUR PETITIONER; PROVIDED, HOWEVER, THAT THE SUBJECT SIGN SHALL NOT DISPLAY ANY OTHER MESSAGES WHATSOEVER, OR HOWSOEVER, UNLESS DIRECTLY CONNECTED TO AND/OR WITH THE USES AND BUSINESS CONDUCTED BY YOUR PETITIONER IN AND ON THE SUBJECT SITE. FURTHERMORE, SAID SIGN SHALL NOT CONTAIN ANY FLASHING OR STROBE LIGHTS IN ITS DISPLAY OR MESSAGES, AND, PROVIDED FURTHER, THAT THE MESSAGES DISPLAYED SHALL THEREFORE NEVER BE LESS THAN THIRTY (30) SECONDS IN DURATION, AND, FURTHER, THERE SHALL BE NO ADVERTISEMENTS FOR OR CONCERNING ANY OFF-PREMISES USES OR BUSINESSES AND, PROVIDED, FINALLY, THE SUBJECT SIGN AND PARTICULARLY THE LIGHTS THEREIN CONTAINED, MUST COMPLY WITH ANY AND ALL OF THE REQUIREMENTS PERTINENT TO SUCH SIGNAGE AND BY THE ORDINANCE OF THE CITY OF ALTOONA, INCLUDING BUT NOT LIMITED TO THE REQUIREMENTS OF FOOT-CANDLES AS SET FORTH IN THE ORDINANCE.

YOUR PETITIONER MUST, OF COURSE, MEET ANY AND OTHER CITY, STATE AND FEDERAL REGULATIONS AND/OR REQUIREMENTS PERTAINING TO THE SUBJECT PROPERTY, WHICH ARE OUTSIDE THE JURISDICTION OF THE ALTOONA ZONING HEARING BOARD.

ANY AND ALL NECESSARY PERMITS INVOLVED MUST BE SECURED WITHIN SIX (6) MONTHS FROM THE DATE OF THIS NOTICE, OR THE AUTHORIZATION SHALL BECOME NULL AND VOID WITHOUT FURTHER ACTION OF THE BOARD.

ANY PERSON AGGRIEVED BY THE DECISION OF THE ZONING HEARING BOARD MAY APPEAL THEREFROM TO THE COURT OF COMMON PLEAS WITHIN THIRTY (30) DAYS FROM THE DATE OF THIS NOTICE, IN THE MANNER SO PROVIDED BY LAW.

THE ZONING HEARING BOARD OF THE  
CITY OF ALTOONA,

Richard Andrews 4/18/18  
Richard Andrews, Acting Chair

Donna Royer 4-18-18  
Donna Royer

Cory Gehret 4/17/18  
Cory Gehret

MAILED TO YOUR PETITIONER: April 18, 2018  
Date

- cc: William J. Stokan, Zoning Board Solicitor
- Lee Slusser, Director of Planning
- Marilyn Morgan, Planner II, Zoning Office

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