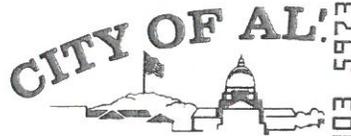


1301 Twelfth Street, Suite 400
Altoona, Pennsylvania 16601

Voice - 814/949-2470
Fax - 814/949-0372
TDD - 711

planning@altoonapa.gov



ALTOONA ZONING HEARING

7017 1070 0000 7303 5973

U.S. Postal Service™ CERTIFIED MAIL® RECEIPT Domestic Mail Only	
For delivery information, visit our website at www.usps.com ®.	
OFFICIAL USE	
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<input type="checkbox"/> Certified Mail Restricted Delivery	\$
<input type="checkbox"/> Adult Signature Required	\$
<input type="checkbox"/> Adult Signature Restricted Delivery	\$
Postage	\$ 7.41
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Altoona Area School Dst.	
Sent To	
Altoona Area School District	
Street and Apt. No., or PO Box No.	
1415 - 6th Ave	
City, State, ZIP+4®	
Altoona, PA 16602	
PS Form 3800, April 2015 PSN 7530-02-000-9047	
See Reverse for Instructions	



Altoona Area School District
1415 - 6th Avenue
Altoona, PA 16602
Attention: Dr. Charles A. Prijatelj

Blair Signs
5107 Kissell Avenue
Altoona, PA 16601
Attention: Joelle Heinbaugh

In Re: Request to remove and replace a message center sign, and off-premises ad at 1601 -7th Avenue on premises in a multiple household residential zone.

Your petitioners appeared by and through Joelle Heinbaugh and Dennis Doll

From the testimony presented at the hearing of December 12, 2018 and the Board's view of the subject premises, the Board makes the following:

FINDINGS OF FACT

1.

Your petitioner has an ownership interest on the subject property.

2.

Requisite notices were made and the property posted.

3.

The sign at issue is the subject of a previous grant by and from this Board, made July 5, 1993, and reiterated after similar testimony as presented on May 29, 2014.

4.

The requisite sign in question is desired to and needed in order to reasonably facilitate the school district needs, to be replaced due to the change in technology as well as update and modernize the same for all that is taking place in and about the area.

5.

Your petitioners, therefore, come before this Board indicating that it wishes simply to remove and replace the message center sign with a new one.

6.

Said hearing is and was necessary due to the fact that the same must indeed be practically the same in size, location and features, and will not be such a change that would be more deleterious to the surrounding neighborhood and the use and sign which it is to replace.

7.

All the other factors such as the need for a funding, its payment, the electricity, warranty, upkeep of the identification sign board, the need for the adequate identification of the school and functions and workings of not only the Altoona Area School District High School, but likewise its Junior High, especially, considering the new construction undergoing the change of various activities in and at various locations, continue to mandate and necessitate such a sign.

8.

This change, since it is basically the same as the sign it is to replace, is, therefore, no greater than the use which it is to replace be it in size, or area of identification.

9.

Being that the subject sign is indeed, therefore, a pre-existing non-conformity, having been first approved and installed in an institutional zone and having been approved by the Zoning

Hearing Board, and never abandoned, said request is indeed reasonable, provided that it is, as represented, to be basically in the same location, size, dimensions and supports.

From the foregoing testimony, the Board makes the following:

CONCLUSIONS OF LAW

1.

Your Petitioner has adequately shown that the sign is indeed a continuing pre-existing non-conforming use.

2.

The change in the identification and slight updated modification is indeed both reasonable and necessary to modernize and utilize existing technology and, therefore, enable a continued reasonable use and signage to be made.

DECISION

WHEREFORE, THIS 28th DAY OF December, A.D., 2018, THE BOARD GRANTS AND APPROVES THE REQUEST OF YOUR PETITIONER, PROVIDED, HOWEVER, THAT THE SUBJECT AREA USED FOR OFF-PREMISES RECOGNITION AND ADVERTISING, SHALL NOT BE ANY LARGER THAN THAT WHICH IS PRESENTLY EXISTING, AND THE SIGN ITSELF SHALL BE NO GREATER IN SIZE OR DIMENSION THAN THAT AS PRESENTLY EXISTING, AND;

PROVIDED FURTHER, ACCORDINGLY, IT BE PLACED IN AND AT THE SAME LOCATION AND BE NO TALLER THAN NINE FEET (9') IN HEIGHT, NOR WIDER THAN SIXTEEN FEET (16') IN WIDTH, THAT THE TOTAL HEIGHT BE NO GREATER THAN SEVENTEEN FEET (17') AND;

PROVIDED, FURTHER, THAT, THE SUBJECT SIGN, OTHER THAN CONTAINING RELIANCE AS THE SPONSOR SHALL NOT OTHERWISE DISPLAY ANY OTHER MESSAGE WHATSOEVER OR HOWSOEVER, UNLESS DIRECTLY CONNECTED TO AND/OR WITH THE USES AND SCHOOL BUSINESS CONDUCTED BY YOUR PETITIONER IN AND ABOUT THE SUBJECT SITE;

PROVIDED FURTHER, THE SAID SIGN SHALL NOT CONTAIN ANY FLASHING OR STROBE LIGHTS IN ITS DISPLAY OR MESSAGES;

PROVIDED FURTHER, THAT, THE MESSAGE DISPLAY SHALL THEREFORE NEVER BE LESS THAN THIRTY (30) SECONDS IN DURATION; AND;

PROVIDED FURTHER, THAT, THERE SHALL BE NO ADVERTISEMENT FOR OR CONCERNING ANY OFF-PREMISES, USE OR BUSINESS, AND;

PROVIDED, FINALLY THAT, THE SUBJECT SIGN AND PARTICULARLY THE LIGHTS THEREIN CONTAINED AND DISPLAYED MUST COMPLY WITH ANY AND ALL OF THE REQUIREMENTS PERTINENT TO SUCH SIGNAGE, IN AND BY THE ORDINANCES OF THE CITY OF ALTOONA PERTINENT THERETO, INCLUDING BUT NOT LIMITED TO THE REQUIREMENTS PERTINENT TO FOOT CANDLES AS APPLICABLE HERETO.

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

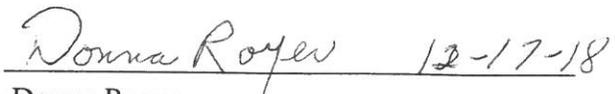
YOUR PETITIONER MUST, OF COURSE, MEET ANY AND ALL OTHER CITY, STATE AND FEDERAL REGULATIONS AND/OR REQUIREMENTS PERTAINING TO THE SUBJECT PROPRTY, WHICH ARE OUTSIDE THE JURISDICTION OF THE ALTOONA ZONING HEARING BOARD.

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.

THE ZONING HEARING BOARD OF THE
CITY OF ALTOONA,

 12/20/18
Richard Andrews, Chairman

 12-14-18
Horace McAnuff

 12-17-18
Donna Royer

Cory R. Gehret 12/28/18
Cory Gehret

MAILED TO YOUR PETITIONER: December 29, 2018
Date

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