

The BZA properly denied a variance request to allow a full color sign with the message changing every 30 seconds.

One of the purposes of the zoning code is to promote traffic safety by reducing the distracting effect of signage on motorists and cyclists (Code of Ordinances 64.101(k)). The proposed sign would be located at the intersection where traffic from the exit ramp from I-94 intersects with Marion Street and the entrance ramp to I-94 and I-35E. The high traffic and the limited visibility created by the curves in the roadways make this a very dangerous intersection even without the distraction of a dynamic display sign. The City ordinance rightfully restricts signage that is frequently changing and drawing the attention of motorists away from their responsibility to drive carefully and safely. The Council acted wisely by restricting message changes to 20 minutes and requiring that signs be monochromatic.

The appellant claims that the variance should be allowed because the use of its property is more akin to a commercial use than the RM-2 zone in which it is located. But the 20-minute standard would apply even if the sign were located in a B2 or B3 zone. I urge the Council to support the decision of the BZA to deny this variance request.

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