

**WHITLEY COUNTY BOARD OF ZONING APPEALS  
STAFF REPORT**

**25-W-VAR-10    DEVELOPMENT STANDARDS VARIANCE**  
RaceTrac, LLC  
Northwest corner of US 30 and 300 East

**APRIL 22, 2025**  
**AGENDA ITEM:    3**

**SUMMARY OF PROPOSAL**

Current zoning: GC, General Commercial

Property area: 5.7± acres

The petitioner is requesting a development standards variance to allow the installation of a large identification pole sign as part of a proposed gas station facility. The sign would be located on the property on the northwest corner of US 30 and 300 East in Section 18 of Union Township. No address is yet assigned.

As part of the overall sign package for the site, the petitioner is proposing a two-sided electronic gas price pole sign near the US 30 right-of-way. The proposed sign specifications, required code standards, and necessary variance(s) are:

	<b>Proposed</b>	<b>Code</b>	<b>Variance</b>
<b>Maximum height</b>	30'	30'	-
<b>Max. sign face area (total)</b>	599.1 sq. ft.	300 sq. ft.	299.1 sq. ft.
EMC sign area per side	-		
Static sign area per side	299.55 sq. ft.		
<b>Setback from R/W</b>	1'+	1'	-
<b>Max. number of signs per street frontage</b>	1	1	-

Note that while electronic, price signs have been historically treated as static signs rather than electronic message centers (EMCs) since the message does not rapidly change. So, no variance of §8.3(K)(11) is required.

**REVIEW CRITERIA**

Indiana Code §36-7-4-918.5 and Section 10.10 of the Zoning Code state the criteria listed below upon which the Board must base its review. Staff's comments/proposed findings of fact under each criterion.

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

The requested variance will not be injurious to the public health or morals, as non-obscene signs generally have negligible effect on those factors.

Large signs along street rights-of-way can have injurious effects on public safety if they cause visibility restrictions, glare, or distractions. This sign would be located roughly where a 500 sq. ft. 20' tall billboard has already been for decades without apparent injury to the public safety. The proposed additional area, height, and brightness would be a change from existing, but it may or may not be injurious. Also, the sign code currently permits billboards up to 672 square feet in area per side along US 30, albeit with restrictive spacing regulations, showing that larger sign areas may not be injurious to public safety.

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; and**

The proposed sign may not substantially nor adversely affect the use and value of the area adjacent to the property since there are few properties that may be within eyeshot of the sign, and those are primarily commercial or industrial. If the sign is overly bright because of the additional sign area, it could have impact on the Lincoln Pointe subdivision, although such effect should be mitigated by the distance to the subdivision.

3. **The strict application of the terms of the 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 or restriction of economic gain.**

Reducing the sign area to meet the sign code regulation would significantly reduce the visibility and legibility of the sign along the primary arterial, which would make use of the property more difficult. Billboards are already permitted a larger sign area per side than the proposed largely because of the visibility needed along the highway, but billboards are restricted in placement and separation whereas identification signs such as this are not.

However, the proposed doubling of the maximum sign area may not be the minimum variance necessary to grant relief, and so an excessive area might be considered self-imposed. For example, a similar gas station price sign at an intersection in Pierceton is 250± sq. ft. per side. The Board should evaluate whether the proposed is the minimum needed.

Date report prepared: 4/15/25

### BOARD OF ZONING APPEALS ACTION

#### Findings of Fact Criteria

	<b>Vote: Green</b>		<b>Sheiss</b>		<b>Wilkinson</b>		<b>Wolf</b>		<b>Wright</b>	
	Yes	No	Yes	No	Yes	No	Yes	No	Yes	No
Criterion 1										
Criterion 2										
Criterion 3										

Motion: ☐ Grant  
☐ Grant w/conditions  
☐ Deny

By:

Second by:

<b>Vote:</b>	<b>Green</b>	<b>Sheiss</b>	<b>Wilkinson</b>	<b>Wolf</b>	<b>Wright</b>
Yes					
No					
Abstain					





Anthony E  
Northeastern Rural Electric Membership Corporation  
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Gaff, Arlene A  
Davis, Heather R  
Marhanka, Ian & Justina  
Shinneman, Jennifer L  
Goodin, Bradley A & Kimberly A  
Quta, Jamal  
Krider, Shelby L  
Krider, Randall S & Sherry L  
Beckman, Nicholas J

Blue Building LLC  
Wai Real Estate Holdings LLC  
S & K Stuff, LLC  
Whitley County Road Easement  
Gateway Properties, LLC  
Boston Nutritional Science LLC  
R&C Holding LLC  
H2Z LLC  
Jamin Holdings LLC  
Clinic LLC  
Veterinary  
Feel River  
LLM Enterprises LLC  
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Wis Holdings LLC  
Wis Holdings LLC  
WJS Holdings, LLC  
Viking Inc  
Viking Auto Products, Inc  
New York Central Lines LLC  
Schrader, Brent D & Mary A

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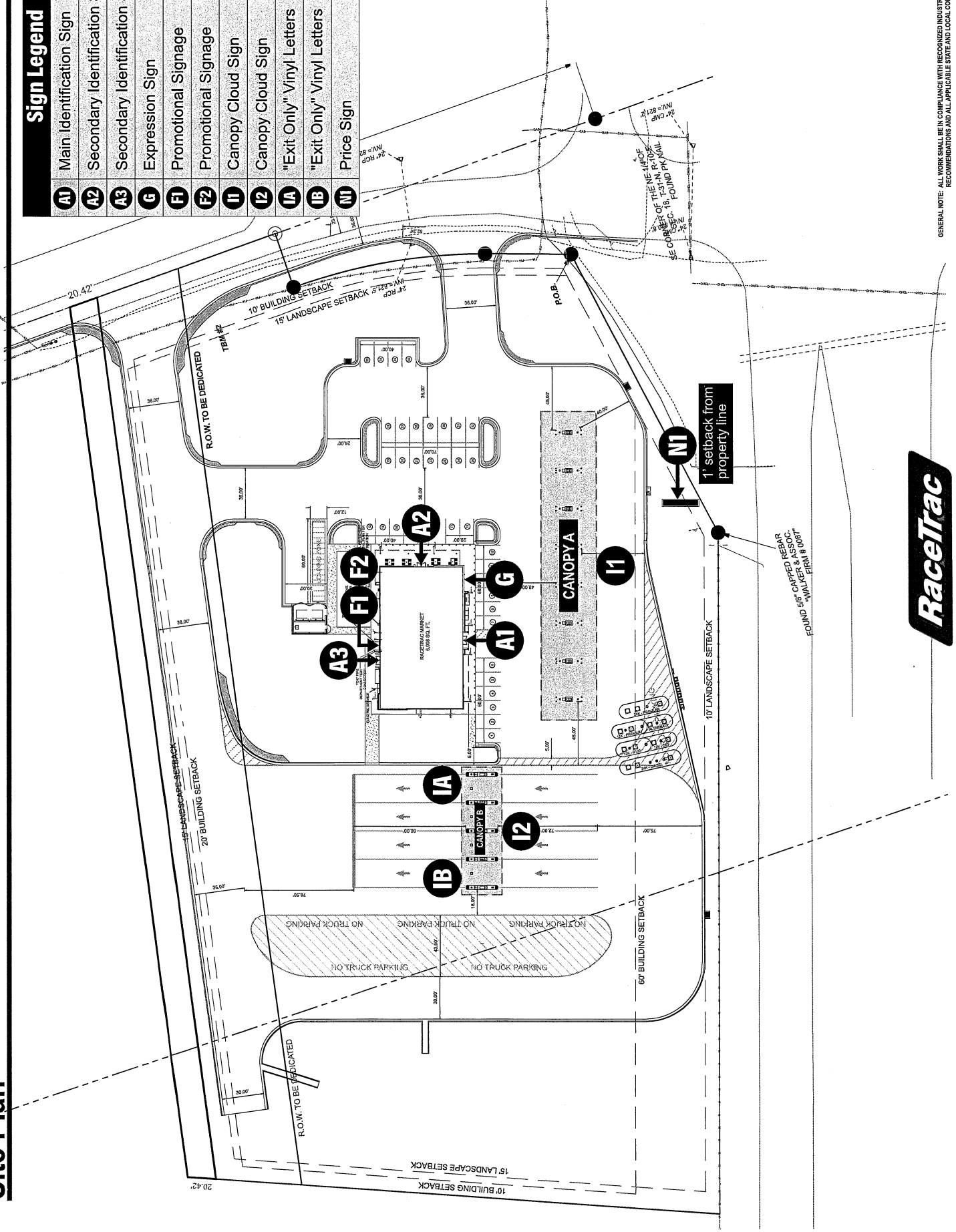
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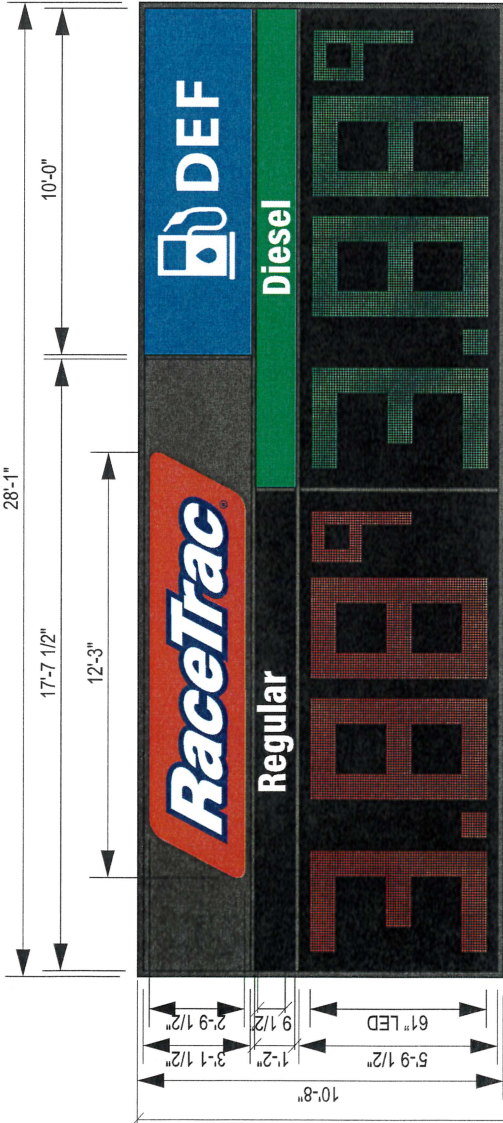
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Sign Legend		
A1	Main Identification Sign	40 SF
A2	Secondary Identification Sign	40 SF
A3	Secondary Identification Sign	24 SF
G	Expression Sign	95 SF
F1	Promotional Signage	12 SF
F2	Promotional Signage	12 SF
I1	Canopy Cloud Sign	55 SF
I2	Canopy Cloud Sign	55 SF
IA	"Exit Only" Vinyl Letters	22 SF
IB	"Exit Only" Vinyl Letters	22 SF
N1	Price Sign	300 SF



\* All sign components to be UL listed. All wiring to conform to UL specifications. Installation to be per NEC requirements. All signs to bear UL labels.  
**STAMPED, SEALED ENGINEERING REQUIRED**  
FOUNDATION INFORMATION PROVIDED BY RACETRAC. MANUFACTURER RESPONSIBLE FOR HAVING A LICENSED ENGINEER VALIDATE FOUNDATION DESIGN PRIOR TO INSTALL  
DOUBLE FACED  
QUANTITY 1  
ALL FUEL GRADE PANELS TO BE ACCESSIBLE FROM TOP OF SIGN



FRONT VIEW

