



BOARD OF ZONING APPEALS STAFF REPORT

To: Board of Zoning Appeals Members

From: Elizabeth Fields, AICP, Planner
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Meeting Date: May 11, 2026

BZA 26-05 **400 Commerce Center Drive – Administrative Appeal Regarding the Definition of a Roof Sign**

Property Information: Location: 400 Commerce Center Drive
Zoning: C-1 “General Commercial District”
Property Use: Lee’s Famous Recipe Chicken

Appeal Request: The applicant, Jane Fiehrer, Sign Connection, has submitted an administrative appeal pursuant to Section 1115.10(e), challenging Staff’s interpretation of the City’s UDO regarding the definition and classification of “roof sign”.

Project Overview: A sign permit application was submitted to the City on behalf of Lee’s Chicken. That application included multiple wall and freestanding signs for the fast-food restaurant that is being constructed at 400 Commerce Center Drive. Staff issued a review letter for that sign permit application on January 19, 2026 stating the following:

The “canopy/awning” sign is proposed to be constructed on top of the roof of the structure and would be considered a “roof sign” under the UDO. Roof signs are not permitted.

The applicant then submitted the Administrative Appeal application on February 13, 2026, stating the following:

The sign referred to as a “roof sign” is, based on the definitions in the Franklin, OH UDO, correctly defined as a “canopy sign”.

The sign rests on a projection from the building made from a material that is supported on columns intended only for shelter.

The sign is not erected on a roof which is supported by the building. The sign is attached to a canopy. The sign does not exceed the maximum height of the principal structure when mounted on top of the canopy. The canopy sign is internally illuminated.



Image of proposed sign



Proposed sign plan

**Relevant Code
Definitions:**

Sign, Canopy: A sign that is mounted on or painted on an attached canopy.

Sign, Roof: A sign erected upon or above a roof or parapet wall of a building, which sign is wholly or partially supported by such building. Roof signs are prohibited under this UDO.

Canopy: A projection from a building made from any material, which is cantilevered, suspended or supported on columns intended only for shelter or ornamentation.

Analysis:

It is staff's determination that the proposed sign is a "roof sign" per the City's UDO as the sign is proposed to be erected on a roof. The applicant asserts that the proposed sign qualifies as a "canopy sign" because it is attached to a canopy structure. Staff agrees that the horizontal projection shown in the plans meets the definition of a canopy. However, the classification of the sign must be evaluated based on how it relates to the canopy structure and the building.

The canopy in this proposal is a roofed projection from the building, supported by columns and structural elements of the principal building, and therefore functions as a roof structure under the plain meaning of the UDO. Accordingly, the top surface of the canopy constitutes a roof plane.

The proposed sign is not mounted directly to the canopy structure itself. Instead, it is proposed above the canopy roof plane on its own framing system. This places the sign clearly above a roof rather than on the canopy as an integrated element, meeting the definition of "roof sign". The presence of a canopy beneath the sign does not change the classification. The determining factor is the sign's position relative to a roof plane, not simply whether a canopy exists somewhere in the assembly.

Conclusion:

The proposed sign is properly classified as a roof sign because it is to be erected above the roof plan of the canopy, which is itself a roofed building projection. The sign is not mounted on the canopy, but instead is a separate structure placed above a roof. As such, the sign meets the definition of a "roof sign". Because roof signs are prohibited per the City's UDO, the sign is not permitted.

Decision of the Board:

Section 1115.10(e)(4): The Appeals Board may, by a vote of at least four (4) members of the Board, and in conformity with this section, reverse or affirm, wholly or partly, or modify, the order, requirement, decision or determination appealed from and may make such order, requirement, decision or determination as ought to be made, and to that end may have all powers of the officer from whom the appeal is taken.