

CITY OF HILLSDALE

Zoning Board of Appeals 97 North Broad Street Hillsdale, Michigan 49242-1695 (517) 437-6449 Fax: (517) 437-6450

ZONING BOARD of APPEALS SPECIAL MEETING CITY HALL, 97 N. BROAD ST. 3rd FLOOR, COUNCIL CHAMBERS January 11, 2017 at 5:30 PM

I. Call to Order 5:30 pm

- A. Pledge of Allegiance
- B. Members present: Richard Smith (Chair), Richard Curtis, Adam Stockford, Eric Swisher
- C. Others present: Alan Beeker (Zoning Administrator), Tom Knighton, Jack McLain, Scott Sessions, J.J. Hodshire, Scott Brown, Rhonda Rowley, Gary Vincent
- D. Members absent: Kerry Laycock (excused), John DeBacker (excused)

II. Consent Items/Communications

- A. Richard Curtis moved to accept agenda as proposed, Adam Stockford seconded. Motion passed
- B. Adam Stockford moved to accept minutes from December 14, 2016 meeting, Eric Swisher seconded. Motion passed.

III. Public Comment

Tom Knighton – he would like to see the sign kept within the ordinance allowances due to the flood lights that will be located on the sign.

IV. New Business

- **A.** Chair and Vice Chair elections Adam Stockford moved to nominate Eric Swisher as Chair and Richard Curtis as Vice-Chair, Richard Smith seconded, motion passed. Eric Swisher took over as Chair.
- B. 168 S. Howell St. Appeal
 - a. The owner is requesting a sign allowance variance to the allowable signage square footage requirements. Sec. 26-7 (3) Permitted permanent signs, Free-standing signs.

C. Public Discussion

a. Richard Smith read the appeal request. It was stated that 5 homeowners contacted the Zoning Administrator with 4 being positive and 1 negative, the negative stating that the variance could set a precedent that would lend itself to bigger and bigger signs. Mr. Smith also pointed out that the sign sets back from street 30'.

- b. Scott Brown from the hospital spoke to the light concern. The lights will be pointed at the sign toward the hospital, and not toward the neighborhood. Mr. Knighton stated he was satisfied that it should not bother.
- c. Mr. Curtis asked why the ordinance was not adequate for the hospital's needs.
- d. Rhonda Rowley from Fritz Advertising spoke to the 2 s.f. increase to the signage allowance. She indicated that that small amount makes a large difference to visibility.
- e. Jack McLain asked if there would be additional signs in the future. The hospital indicated, no.
- **D. Facts and Findings:** Chair Swisher read through the Facts and Findings questions with the Board. (See Attached).
- **E. Motion** Richard Curtis made a motion to approve the signage as proposed and grant the variance, Adam Stockford seconded. Roll call vote;
 - a. Richard Smith aye
 - b. Richard Curtis aye
 - c. Eric Swisher aye
 - d. Adam Stockford aye

Motion passed 4 ayes, 0 the variance was granted.

Public Comment

- J.J. Hodshire thanked the ZBA for granting the variance
- V. Adjournment at 6:30 pm Adam Stockford moved to adjourn, Richard Smith seconded, motion passed.

Zoning Board of Appeals Findings

No

Case # ___<u>ZBA-2017-01</u> Address ___<u>168 S. Howell St</u>

Parcel # <u>334-227-02</u>

Parcel Owner _Hillsdale Hospital



City of Hillsdale Zoning Board of Appeals 97 N. Broad Street Hillsdale, Michigan 49242 517.437.6449

A.	The Zoning Board of Appeals for the City of Hillsdale hereby makes the following findings as to whether each of the following factors are or are not present based on the facts presented by the appellant seeking the variance.	
	1.	Will the proposed variance impair an adequate supply of light and air to adjacent property?
		No
	2.	Will the proposed variance unreasonably increase congestion in public streets?
		No
	3.	Will the proposed variance request increase the danger of fire?
		No
	4.	Will the proposed variance endanger the public safety?
		No
	5.	Will the proposed variance unreasonably diminish or impair established property values within the surrounding area?
		No
	6.	Will the proposed variance in any other respect impair the public health, safety, comfort, morals or welfare?

B. If each of the above determinations is answered in the negative and supported, the ZBA must then determine whether each of the following facts and conditions exist beyond a reasonable doubt.
 That there are exceptional or extraordinary circumstance or conditions applicable to the property or to its intended use that do not apply generally to other properties or uses in the same district or zone.
Yes
2. That the variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in the same zone and vicinity.
Yes
3. That the granting of the variance will not be materially detrimental to the public welfare.
Yes
4. That the granting of the variance will not be materially injurious to the property or improvements in the zone or district in which the property is located.
Yes
5. That granting of the variance will not adversely affect the purposes or objectives of the City's future land use plan.
Yes
BASED ON THE FACTS PRESENTED IN THE RECORD BEFORE THE ZBA AND ON THE FOREGOING DETERMINATION AND FINDINGS, THE ZBA HEREBY:
1. Grants the variance as requested: <u>X</u>
2. Denies the variance as requested:3. Grants the variance subject to the following conditions and safeguards:a) Conditions:
b) Safeguards:
Wo.co.

Note:

All of the Zoning Board of Appeal's discussions, determinations and findings must be based on the record before it and undertaken and made in open session.