

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 Agenda November 9, 2022

I. Call to Order 5:30pm

- A. Pledge of Allegiance
- B. Roll Call

II. Consent Items/Communications

- A. Approval of agenda Action
- B. Approval of September 14, 2022 minutes **Action**

III. Public Comment – agenda items

IV. New Business

- A. Appeal filed by Meijer, Inc., owner of the property located at 3600 W Carleton Rd, Hillsdale, Michigan. The proposed request is to appeal the decision of the City Planning Commission on September 21, 2022.
 - a. Public Questions and Comments: each citizen is to be given no more than 5 minutes unless the Board feels further time is required.
 - b. Finding of Facts
 - c. Vote

V. **Public Comment** – other items

VI. Adjournment



Zoning Board of Appeals

97 North Broad Street Hillsdale, Michigan 49242-1695 (517) 437-6440 Fax: (517) 437-6448

ZONING BOARD of APPEALS

CITY HALL, 97 N. BROAD ST. 3rd FLOOR, COUNCIL CHAMBERS September 14, 2022 at 5:30 PM

I. Call to Order 5:30 pm

- A. Pledge of Allegiance
- B. Members present: Richard Smith, Penny Swan, Daniel LaRue, Tammie Henderson
- C. Others present: Alan Beeker (Zoning Administrator), Jack McLain
- D. Members absent: Adam Stockford

II. Consent Items/Communications

A. Richard Smith moved to amend the agenda by adding second "Public Comment" after "New Business". Penny Swan seconded, motion passed.

III. Public Comment

No Public Comment

IV. New Business

- A. Officer Elections
 - 1. Penny nominated Richard Smith for Chair. Daniel supported. Motion passed.
 - 2.Penny nominated Daniel LaRue for Vice Chair. Tammie supported. Motion passed.
- B. Member Packet Review
 - 1. Alan went through the member packet re: origin, process and responsibility of the ZBA

V. Public Comment

Jack McLain reviewed an issue that was discussed at a previous ZBA meeting involving proof of ownership of petitioners. He brought it up to reinforce the review discussion that stressed asking questions and being willing to table an appeal until questions were satisfactorily answered.

VI. Adjournment at 6:18 pm Penny Swan moved to adjourn, Tammie Henderson seconded, motion passed.



97 NORTH BROAD STREET HILLSDALE, MICHIGAN 49242-1695 (517) 437-6449

Zoning Board of Appeals Petition Form

Applicant Name Meijer, Inc.
Address 2350 Three Mile Road NW, Grand Rapids, MI 49544
Phone () (616) 735-7992
Property Owner Meijer, Inc.
Address 2350 Three Mile Road NW, Grand Rapids, MI 49544
Phone () (616) 735-7992
If the applicant is not the Property Owner, what is the Applicant's interest in the Property (Land Contract, Lease, Option, etc.) Applicant is property owner.
PROPERTY ADDRESS 3800 Carleton Road (M-99), Hillsdale, MI 49242
PARCEL NUMBER 30-06-016-100-020-16-6-3 Date of Zoning Permit Denial 9/21/2022
Reason for Denial N/A
Purpose of Request (Specify exactly what is being requested. Attach separate page, as needed Variance request, see attached exhibit.
If this is a variance request, please explain the practical difficulty or hardship (Attach separate
page, as needed.) See attached exhibit.
Signature (Property Owner/Representative) Susan Ausman
Date 9-21-22



EXHIBIT TO THE ZONING BOARD OF APPEALS APPLICATION Meijer, City of Hillsdale

Variances Requested:

Variance for building height (Division 16 – Schedule of Regulations – Building Height): The applicant is proposing to implement their prototypical building height of 36.0′. The current building height limitation in the B-3, General Business zoning district is 35.0′. The applicant is requesting a building height variance of 1.0′.

Variance for site signage (Chapter 26 – Signs; Section 26-35 – B-3 Permitted Signs): The applicant is proposing to construct one (1) freestanding pylon sign with a total square footage of 156.1 square feet. The maximum allowable area for a freestanding pylon sign in the B-3 district is 100.0 square feet. The applicant is requesting a freestanding pylon sign area variance of 56.1 square feet.

Criteria for Variance Approval (Section 36-86)

Per the requirements of the City of Hillsdale Zoning Ordinance, the applicant offers the following as evidence that the conditions of approval of the Variances have been met or exceeded:

(1) That there are exceptional or extraordinary circumstances or conditions applicable to the property involved or to the intended use of the property that do not apply generally to other properties or class of uses in the same district or zone;

Unique conditions associated with the property and intended use related to the proposed building height include the following:

- The proposed building is a prototypical building design for Meijer which includes a maximum height of 36 feet at the main entrances. This prototypical design is consistent for new Meijer stores throughout the Midwest and is considered an essential characteristic of new stores in keeping with the Meijer "brand."
- The store is located approximately 600 feet from Carleton Road. The additional height is considered important to help maintain appropriate visibility for a retail store and may not otherwise be applicable to other businesses and/or other retail stores located closer to the road.

Unique conditions associated with the property and intended use related to the proposed size of the pylon sign include the following:

The proposed sign is intended to advertise multiple uses including the Meijer Main Store and the
Meijer Gas Station. The Applicant believes that the additional area is justified to provide appropriate
signage area for the multiple uses and may not otherwise be applicable to other businesses with
singular uses.



(2) That such variance is necessary for the preservation and enjoyment of a substantial property right possessed by other property in zone and vicinity;

With respect to the building height, the Applicant feels that the modest increase in 1-foot in maximum height of the building, as otherwise allowed per the Zoning Ordinance, is necessary to provided appropriate visibility from Carleton Road in comparison to other business that are located closer to the road. Please note that the proposed Meijer Store is located approximate 600 feet from Carleton Road. In comparison, other businesses are much closer to Carleton Road, including the Family Farm & Home which is located approximately 350 feet from Carleton Road, and the adjacent Chevy Dealership which is located approximately 175 feet from Carleton Road.

With respect to the size of the pylon sign, please note that the Zoning Ordinance allows for one (1) free standing pylon sign for every 300 feet of road frontage with up to 100 square feet of area. Given that the property has frontage on multiple roads, additional signage beyond the two requested may be available to the Applicant. The Applicant is requesting consideration for a larger sign (with the total of two signs equaling approximately 255 square feet) as opposed to an additional sign of 100 square feet in area (with the total of three potential signs equaling 300 square feet).

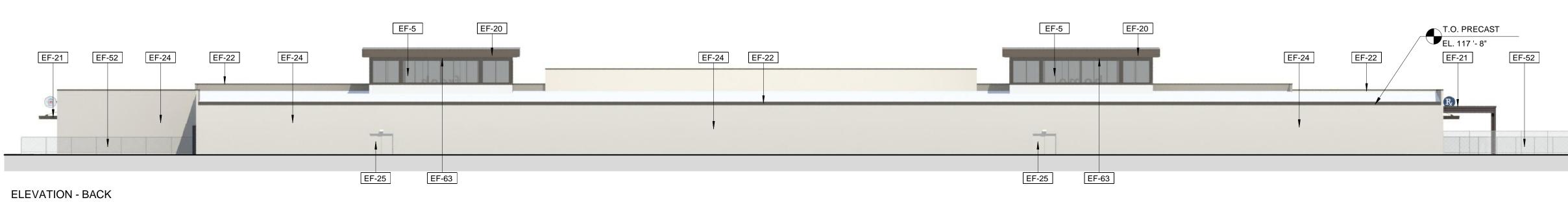
(3) That the granting of such variance or modification will not be materially detrimental to the public welfare, or materially injurious to the property or improvements in such zone or district in which the property is located;

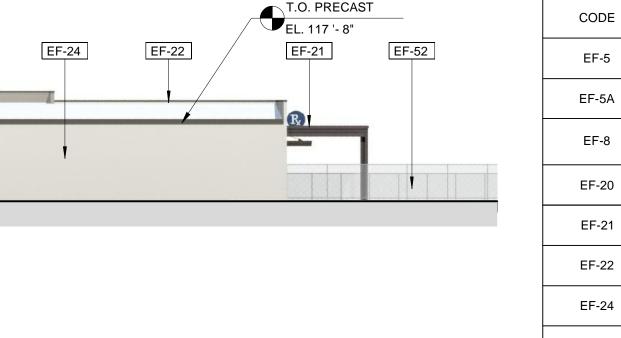
The granting of these variances (1) will **NOT** be detrimental to the public welfare and (2) will **NOT** be injurious to the property or improvements in the zones or district in which this property is located.

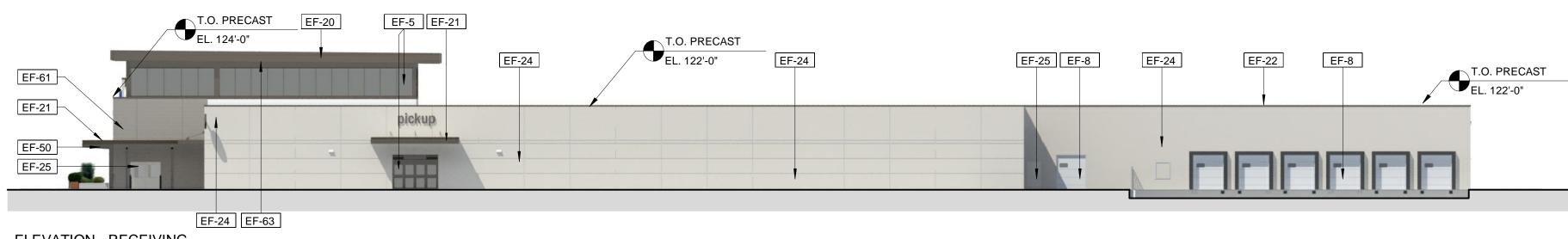
(4) That the granting of such variance will not adversely affect the purposes or objectives of the future land use plan of the city.

The granting of the requested variances will NOT affect the purposes or objectives of the Future Land Use Plan as the requested variances maintain the objectives of providing a commercial use for the subject property.









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	EF-24 EF-63											
LEVATION - RECE	EIVING											
									EF-20	EF-21 EF-5	TO PRECAST	
									EF-20	[EF-21] [EF-5]	T.O. PRECAST EL. 124'-0"	7
	EF-24 EF-22	EF-5	EF-21	EF-24	EF-22	EF-52	EF-5	EF-24				
		LI-5	LI ZI		LI -ZZ	L1 -02		<u> </u>				EF-61
T.O. PRECAST												
EL. 122'-0"										pharmacy drive up		EF-21
			7							1 1 1 3		
												EF-50
											W. C.	EF-25
										-		
									EF-24 EF-6	3]		

CODE	FINISH	PRODUCT	COLOR		
EF-5	ENTRANCE AND STOREFRONT FRAMES - 1" INSULATED GUARDIAN GLASS - CRYSTAL GRAY SN68		DARK BRONZE ANODIZED ALUMINUM		
EF-5A	1" INSULATED SPANDREL PANEL WITH CRYSTAL GRAY SN68 AND WARM GRAY SPANDREL PANEL		WARM GRAY		
EF-8	SECTIONAL OVERHEAD DOORS		WHITE		
EF-20	CANOPY FASCIA PANEL AND SOFFIT	PAC-CLAD	DARK BRONZE		
EF-21	SHEET METAL FLASHING AND TRIM - EDGE FLASHING AT CANOPY	PAC-CLAD	DARK BRONZE		
EF-22	SHEET METAL FLASHING AND TRIM - EDGE FLASHING AT PARAPET	PAC-CLAD	DARK BRONZE		
EF-24	INSULATED PRECAST CONCRETE WALL W/ EIFS FORMLINER #410	AP	SW 7015 REPOSE GRAY		
EF-25	FIELD PAINTED STEEL - HOLLOW METAL DOORS & FRAMES	SHERWIN WILLIAMS	SW 7015 REPOSE GRAY		
EF-50	STEEL SUPPORT		DARK BRONZE STEEL BEAM		
EF-52	GALVANIZED STEEL FENCE				
EF-55	PLANTER	CORTEN	CORTEN STEEL		
EF-56	CONCRETE PLANTER		CAST IN PLACE CONCRETE PLANTER		
EF-61	CONCRETE FORMLINER 2/82 COLORADO	RECKLI	SW 7018 DOVETAIL GRAY		
EF-63	VENTED SOFFIT PANEL - UNA CLAD UC-500	FIRESTONE	DARK BRONZE		
EF-73	FIELD PAINTED STEEL - METAL DECKING	SHERWIN WILLIAMS	DARK BRONZE		

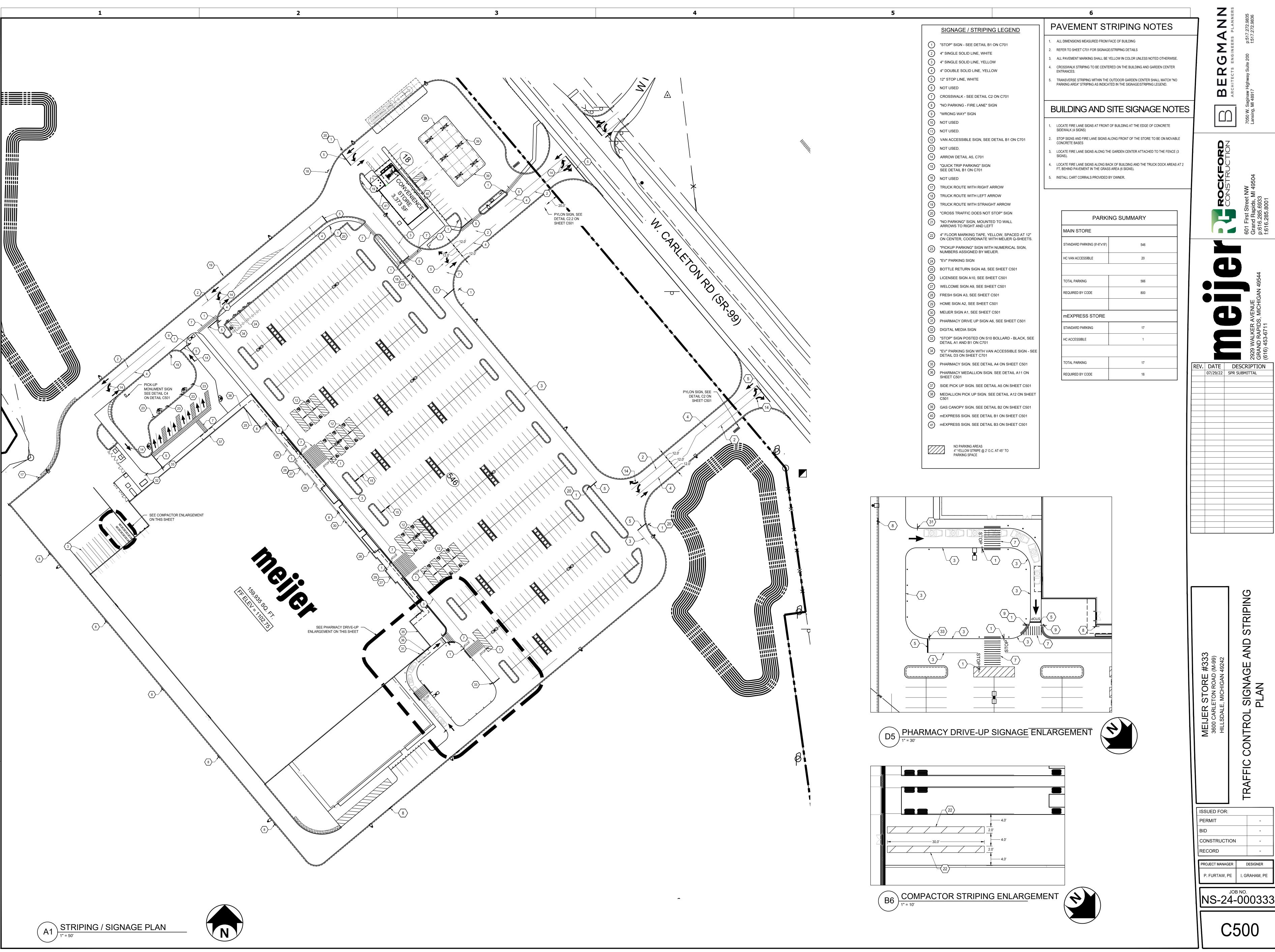


ELEVATION-GARDEN CENTER

HILLSDALE, MICHIGAN

CARLETON ROAD (M-99) HILLSDALE, MI 49242





07/29/22 SPR SUBMITTAL

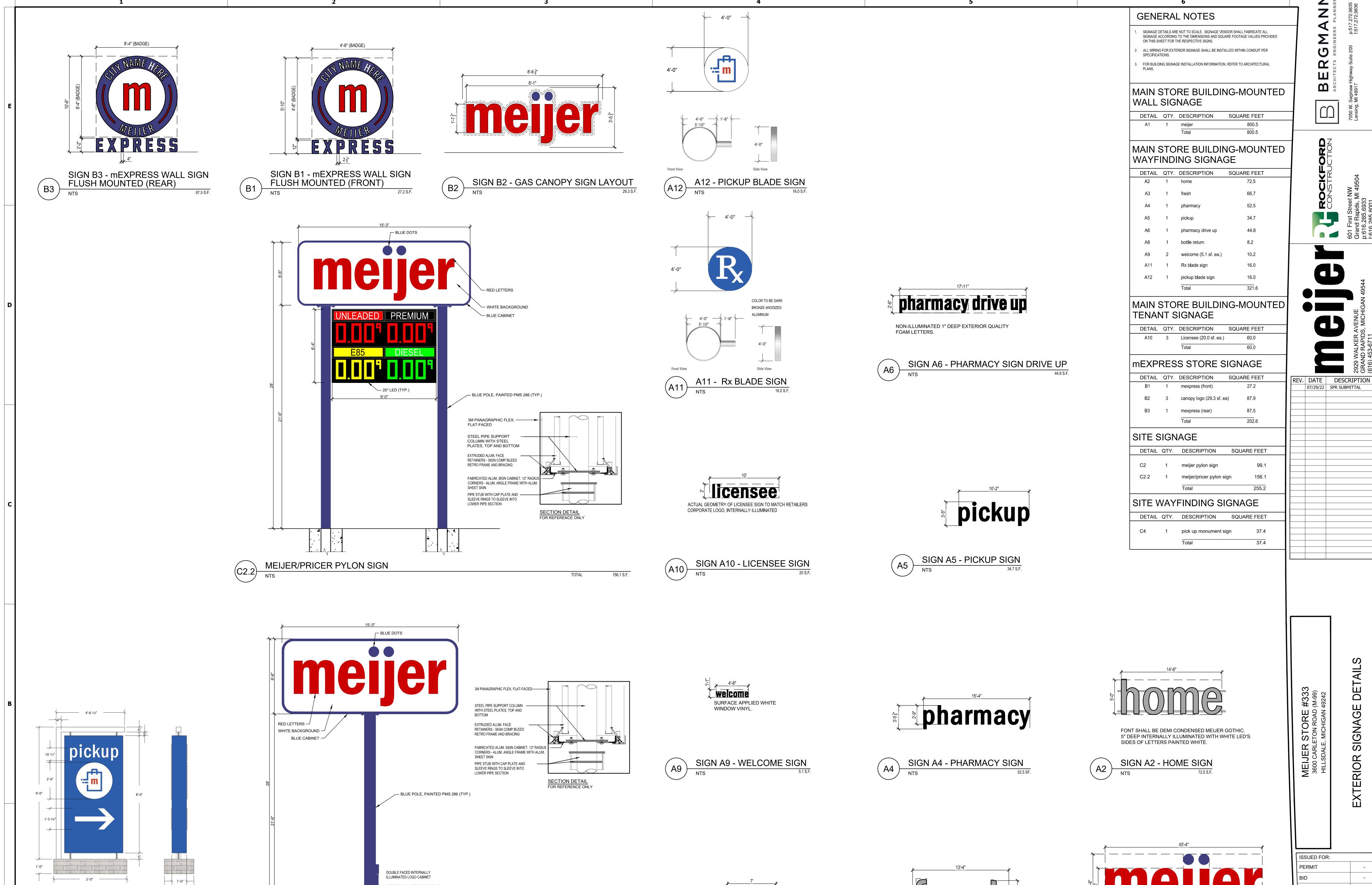
TRAFFIC

ISSUED FOR: CONSTRUCTION

PROJECT MANAGER

P. FURTAW, PE

C500



NON-ILLUMINATED 1" DEEP EXTERIOR

SIGN A8 - BOTTLE RETURN SIGN

QUALITY FOAM LETTERS.

(MICHIGAN)

ENTIRE PYLON STRUCTURE ABOVE

PAINTED MAP TO MATCH PMS 286 (BLUE)

MEIJER PYLON SIGN

GRADE, INCLUDING ELECTRIC BOXES AND EXPOSED CONDUIT IS TO BE

Primary Pylon

2'-0"

SIGN C4 - PICKUP SIGN: MONUMENT SIGN

CONSTRUCTION

RECORD ROJECT MANAGER DESIGNER

P. FURTAW, PE I. GRAHAM, PE

INTERNALLY ILLUMINATED "MEIJER" CHANNEL LETTERS TO MATCH CORPORATE

LOGO & COLORS. SIDES OF LETTERS & RETAINERS TO BE PAINTED TO MATCH

SIGN A1 - MEIJER WALL LOGO

RESPECTIVE FACE COLORS.

FONT SHALL BE DEMI CONDENSED MEIJER GOTHIC.

SIDES OF LETTERS PAINTED WHITE.

SIGN A3 - FRESH SIGN

5" DEEP INTERNALLY ILLUMINATED WITH WHITE LED'S.

NS-24-000333



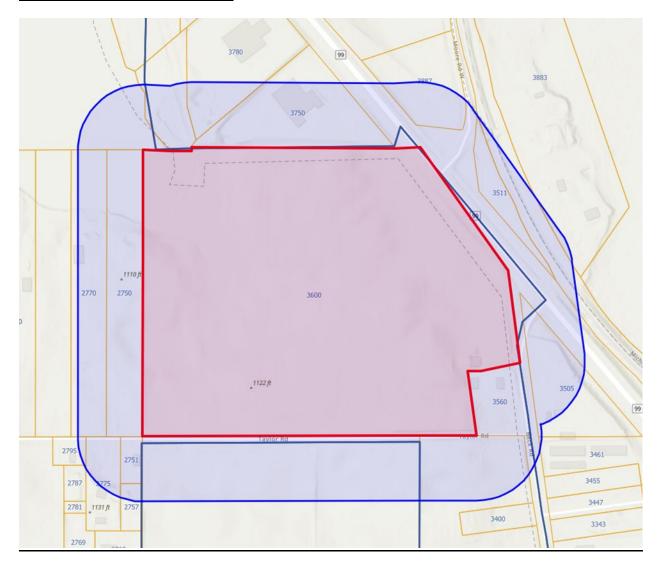
October 20, 2022

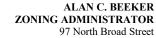
To: Property Owner, Tenant or Occupant

Subject: Zoning Board of Appeals, 5:30 pm, Wednesday, November 9, 2022 in the City

Council Chambers, City Hall Building, 97 North Broad Street, Hillsdale, Michigan.

ADJACENT PROPERTIES MAP





97 North Broad Street Hillsdale, Michigan 49242-1695 (517) 437-6449 FAX: (517) 437-6450



October 20, 2022

To: Property Owner, Tenant or Occupant

Subject: Zoning Board of Appeals, 5:30 pm, Wednesday, November 9, 2022 in the City

Council Chambers, City Hall Building, 97 North Broad Street, Hillsdale, Michigan.

PETITION TO APPEAL CITY PLANNING COMMISSION DECISION

On September 21, 2022, Meijer, Inc., owner of 3600 W. Carleton Rd., submitted plans to the Planning Commission for Site Plan Review. The applicant is proposing a new 159,935 square foot full service retail/grocery store building with a 3,373 square foot convenience fuel store located on a 42 acre parcel along West Carleton Rd. The plans submitted for site plan review do not meet two ordinances. The Planning Commission denied the zoning application. The applicant will require two variances in order to gain final approval.

Variance 1: The applicant is requesting a building height variance of 12".

Relevant Zoning Ordinance

Sec. 36-411. Limitations on height, bulk, density and area by land use.

	Minimum Size Lot Per Unit		Maximum Height of Structures		Minimum Yard Setback (Per Lot in Feet)			Minimum Floor Area Per Unit (Square Feet)	Maximum Percentage of Lot Area Covered by All Buildings	
Districts	Area in Square Feet	Width in Feet	In Stories	In Feet	Front	Each Side	Rear			
B-3 general business	_		2½	(l) 35	(h) 40	(e, m)	(f, m)	none	(g)	

Notes:

- (e) No side yards are required along the interior side lot lines, except as otherwise specified in the single state construction code. On the exterior side yard which borders on a residential district, there shall be provided a setback of not less than ten feet on the side or residential street. If walls of structures facing such interior side lot lines contain windows or other openings, side yards of not less than ten feet shall be provided.
- (f) Loading space shall be provided in the rear yard in the ratio of at least ten square feet per front foot of building and shall be computed separately from the off-street parking requirements. Where an alley exists or is provided at the rear of buildings, the rear building setback and loading requirements may be computed from the center of the alley.
- (h) Parking shall be permitted in the front yard after approval of the parking plan layout and points of access by the planning commission. The setback shall be measured from the nearest side of existing and/or proposed right-of-way lines, whichever is greater.

- (l) Planned developments involving five acres or more under one ownership shall be subject to the approval of the board of appeals, after public hearing, regarding modifications with respect to height regulations. In approving an increase in structure height, the board of appeals shall require that all yards shall at least equal in their depth the height of the structure.
- (m) A four-foot-six-inch obscuring wall or fence shall be provided on those sides of the property abutting land zoned for residential use.

Variance 2: The applicant is requesting a freestanding pylon sign area variance of 56.1 square feet.

Relevant Zoning Ordinance

Sec. 26-35. - B-3 general business district.

Sign regulations in the B-3 general business district shall be as follows:

B-3 General Business District—Permitted Signs						
(a) Monument and freestanding signs.						
Number	1 per 300 feet of lineal road frontage, only one monument, freestanding sign per 300 feet of lineal road frontage.					
Size	Freestanding and monument signs not to exceed 100 square feet.					
Location	Minimum of 5 feet from adjacent property and outside of the right-of-way.					
Height	No higher than 6 feet for monument, 28 feet for freestanding.					

The Zoning Board of Appeals will meet and conduct a Public Hearing at 5:30 pm, Wednesday, November 9, 2022 in the City Council Chambers, City Hall Building, 97 North Broad Street, Hillsdale, Michigan. The Zoning Board of Appeals will make a decision regarding the appeal immediately following the Public Hearing.

YOU ARE BEING NOTIFIED AS A PROPERTY OWNER, TENANT OR OCCUPANT WITHIN 300 FEET OF THE INDICATED SITE.

If you cannot attend the meeting, comments may be sent by phone or mail to the Zoning Administrator, Hillsdale City Hall, 97 North Broad Street, Hillsdale, Michigan. 517.437.6449. zoning@cityofhillsdale.org

Thank you, Alan Beeker Zoning Administrator