



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

# Zoning Board of Appeals Agenda March 13, 2024

- I. Call to Order 5:30pm
  - A. Pledge of Allegiance
  - B. Roll Call
- **II.** Consent Items/Communications

Approval of agenda - Action

- III. Public Comment agenda items
- **IV.** New Business
  - A. Appeal filed by Digital One LLC on behalf of Convenience King, Inc., owner of the property located at 17 E. Carleton St., Hillsdale, Michigan. The proposed request is to appeal the decision of the Zoning Administrator regarding Zoning Permit PS2024-002.
    - 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. 2nd FLOOR, CONFERENCE RM.

February 7, 2024 at 5:30 PM

# I. Call to Order 5:30 pm

- A. Pledge of Allegiance
- B. Members present: Richard Smith, Daniel LaRue, Tammie Henderson, Amber Yoder, Matt Kniffen, Tammie Henderson
- C. Others present: Alan Beeker (Zoning Administrator)
- D. Members absent: Adam Stockford

# II. Consent Items/Communications

A. Dan moved to approve the agenda as presented. Tammie seconded, motion passed.

# III. Public Comment

No public comment

#### IV. New Business

- A. Officer Elections
  - 1. This is Richard's last year on the Board and would prefer not to be an officer.
  - 2. Tammie nominated Dan for Chair. Richard supported. Motion passed.
  - 3. Richard nominated Tammie for Vice Chair. Amber supported. Motion passed.
- B. Member Packet Review

1. Rules of Procedure

Tammie moved to adopt the rules with corrections. Richard seconded, motion passed.

Tammie nominated Amber as secretary. Richard seconded. Motion passed.

# V. Public Comment

No public comment.

VI. Adjournment at 6:15 pm Tammie moved to adjourn, Amber seconded, motion passed.

For Office Use Only	
Date Received:	
Received By:	
Amount Paid/Check#	

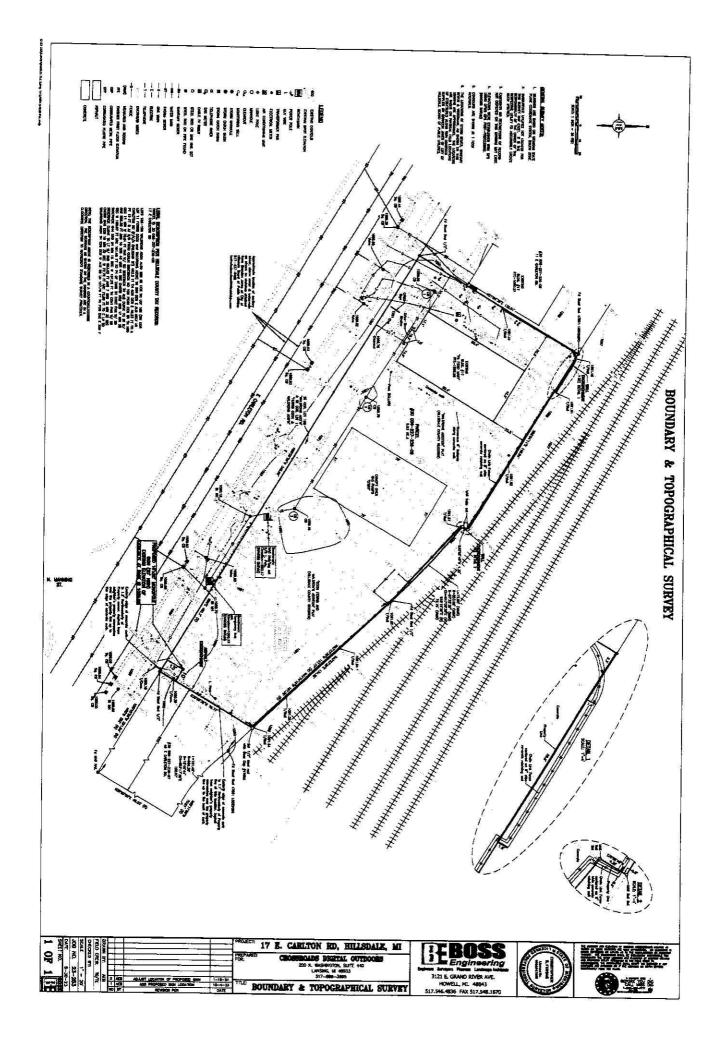
Application Fee: \$50.00 New Sign Permit: \$50.00 Sign Reface Permit: \$25.00

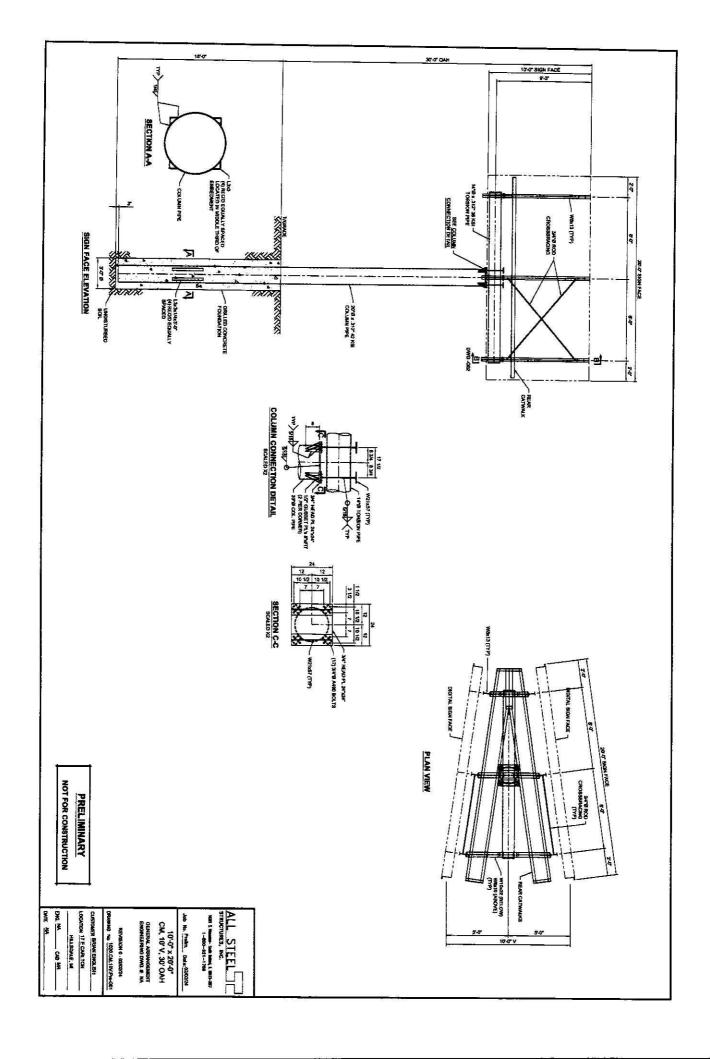


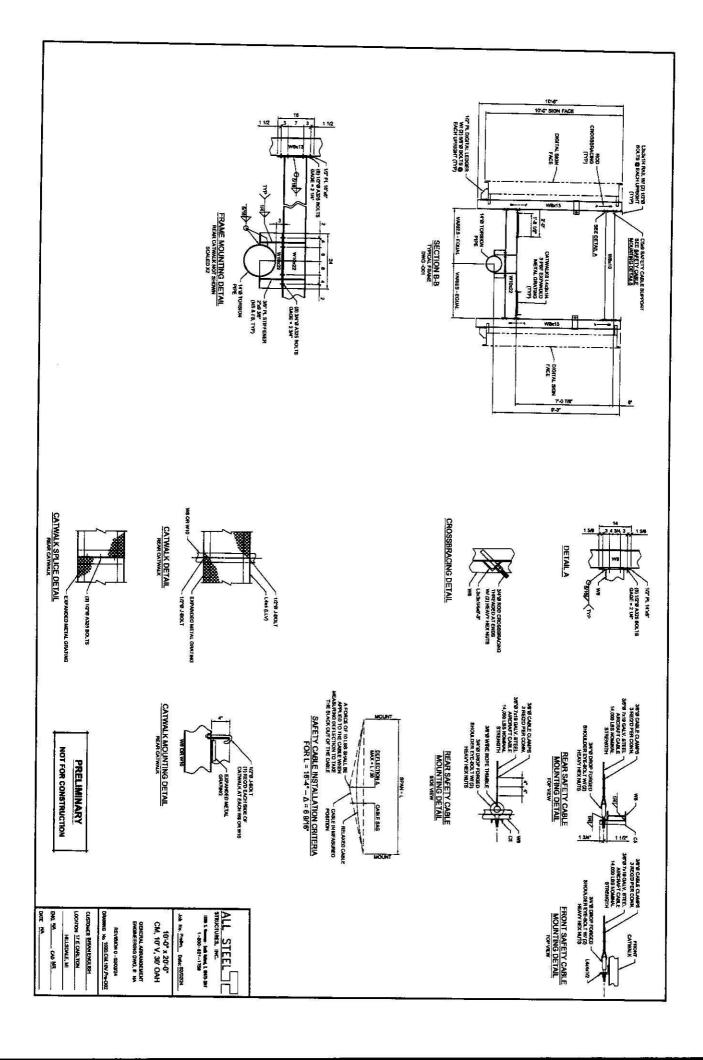
# PERMANENT SIGN PERMIT APPLICATION

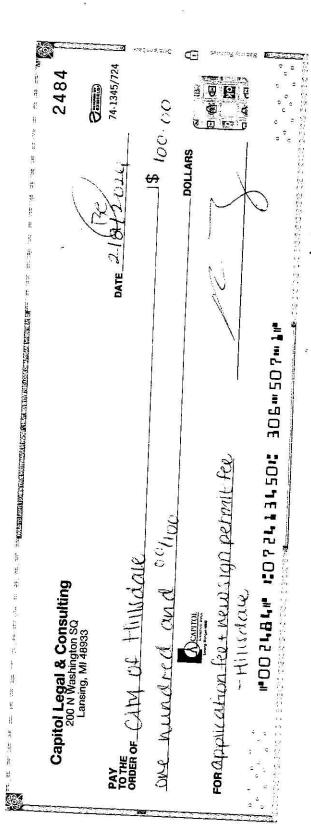
LAND USE AND PLANNING DEPARTMENT 97 N. Broad St Hillsdale, MI 49242 517-437-6455 Fax 517-437-6448

	51/-43/-0435 Fax 51/-43/-0448
STREET ADDRESS 17 E. Carleton Rd. Hillsdale,	MI 49242
Applicant Name  Mailing Address  City, State, Zip  Lansing MI, 48933  Telephone Number  E-mail address  Description of Sign (Type, size, material, etc.)  2 faced digital billboard using steel material	Contractor Name  All Steel Structures, Inc.  Mailing Address  16301 Vincennes Ave.  City, State, Zip  South Holland, IL 60473  Telephone Number (708) 566-5813  E-mail address  E-mail address
ZONING DISTRICT B-1, B-3, 1-1, 1-2, O-1: supply Area of Main ZONING DISTRICT B-2: supply Lineal Store Front of Building  Wall Sq. Ft  Free Standing Height 20Ft Area 200  Monument Height Ft A Business Center Sign Height I  Awning/ Canopy Suspended Clearance to Grade Feet P  Distance from assembly to curb 15  NO SIGNS MAY BE PLACED IN	Lineal Feet Sq. Ft AreaSq. Ft Ft AreaSq. Ft  ProjectingMarquee Projection from BuildingFeet Feet
I hereby certify that I am the owner or the proposed work is a by the owner to make this application as his/her authorized agent. damages occur to the curb, sidewalk, terrace within the R.O.W. the or replace damages at the owner's expense	of Hillsdale Department of Public Services (517-437-6490)  uthorized by the owner of record and that I have been authorized I agree to conform to all applicable laws of this jurisdiction. If owner will accept full responsibility and will be required to repair
	30: an English Date February 2, 2024
BELOW FOR OFF	
Notes:  Complies With Sign: Area Height Clearance  Approved Denied	es Projection Requirements Lot Setbacks  Date









Variance Request fee: \$300.00



# CITY OF HILLSDALE Variance Request Application

Name of Applicant Digital One, LLC; C/O Brian English
Address of Applicant: 200 N. Washington S. Lansing, Mi 48933
Telephone and Fax: (517) 204-0611
E-Mail Address: brian@200nw.com
Address of Property: 17 E. Carleton Rd. Hillsdale, MI
Variance Requested: Property Line Setbacks, Seeking: 15 ft. off South prop line and 10 ft. off East prop line.
Owner of Property (if not Applicant): Convenience King Group, Inc.
*******

A variance to the Zoning Ordinance is requested for the following reasons (all reasons must be answered).

1. The property in question is not physically suitable for use under the limitations of the zoning district in which it is located because:

Following the 30ft setback places the sign directly above a monitoring well for the UGST. The 30ft set back would also place the sign in the middle of the parking lot, creating an unnecessary obstacle for the ingress and egress of traffic,

2. The hardship created is UNIQUE and is not shared by all properties alike in the immediate vicinity of the property and in this use district because:

It is unique because 30ft would interfere with traits specific to gas stations and UGST monitoring systems. Also, a rock bed present on the property creates a natural barrier between traffic and the proposed sign location, coming into and going out of the property.

3. The variance would not change the character of the district because:

The on-premise sign at the gas station to the west of the property appears to be following a 15ft setback. Therefore, granting the 10&15ft variance request would not change the character of the district but rather it would create a more uniform look.

**NOTICE TO APPLICANT:** The applicant or his representative **MUST BE PRESENT** when this comes before the Zoning Board of Appeals, or it will not be considered.

Signature of Applicant:

C 11 11 -

Section 36-91: Orders; term of validity.

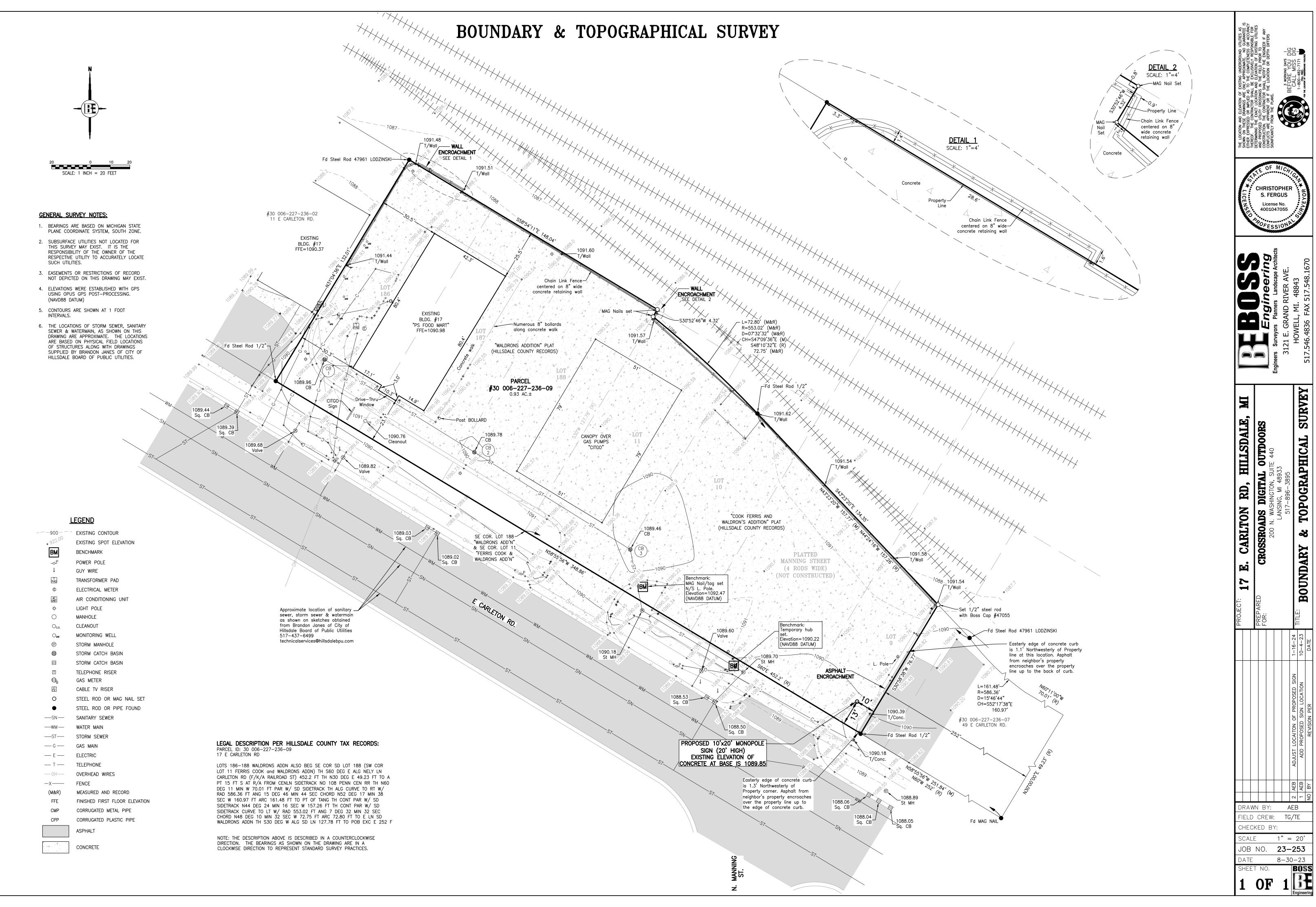
- a) No order of the board of appeals permitting the erection or alteration of a building shall be valid for a period longer than one year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.
- b) No orders of the board of appeals permitting a use of a building or premises shall be valid for a period longer than one year unless such use is established within such period; provided, however, that where such use permitted is dependent upon the erection or alteration of a building, such order shall continue in force and effect if a building permit for the erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

# Tips for a Successful Variance Application

- 1 Determine if you really need the variance or you just want one.
- 2 Talk to the Staff at the Planning Department and review alternatives.
- When you file your application, take time in stating specifically what your hardship is and why the ordinance appears to unfairly affect you.
- 4 Avoid, if possible, submitting new information to the Zoning Board of Appeals during the hearing.
- 5 If you cannot submit documentation until the hearing itself, consider an adjournment until the next scheduled meeting.
- The Zoning Board of Appeals members will probably inspect the site before the hearing. <u>Clean up</u> the property / site before inspection. (If necessary, the Board can attach a condition to an approved variance that nuisances such as junk, trash and debris be addressed).
- 7 Talk to your neighbors about your variance.
- 8 If you get your neighbors support get a brief, concise written statement and submit it to the Zoning Administrator or have them appear at the hearing.
- 9 If you expect opposition, examine the Planning Department files a day or two before the hearing. Any written opposition will be on file.
- 10 Listen to the Zoning Board of Appeals members; both their questions and discussion may be an attempt to steer you to a compromise.
- 11 Dress appropriately.
- Be concise and have your presentation prepared / rehearsed prior to the meeting.

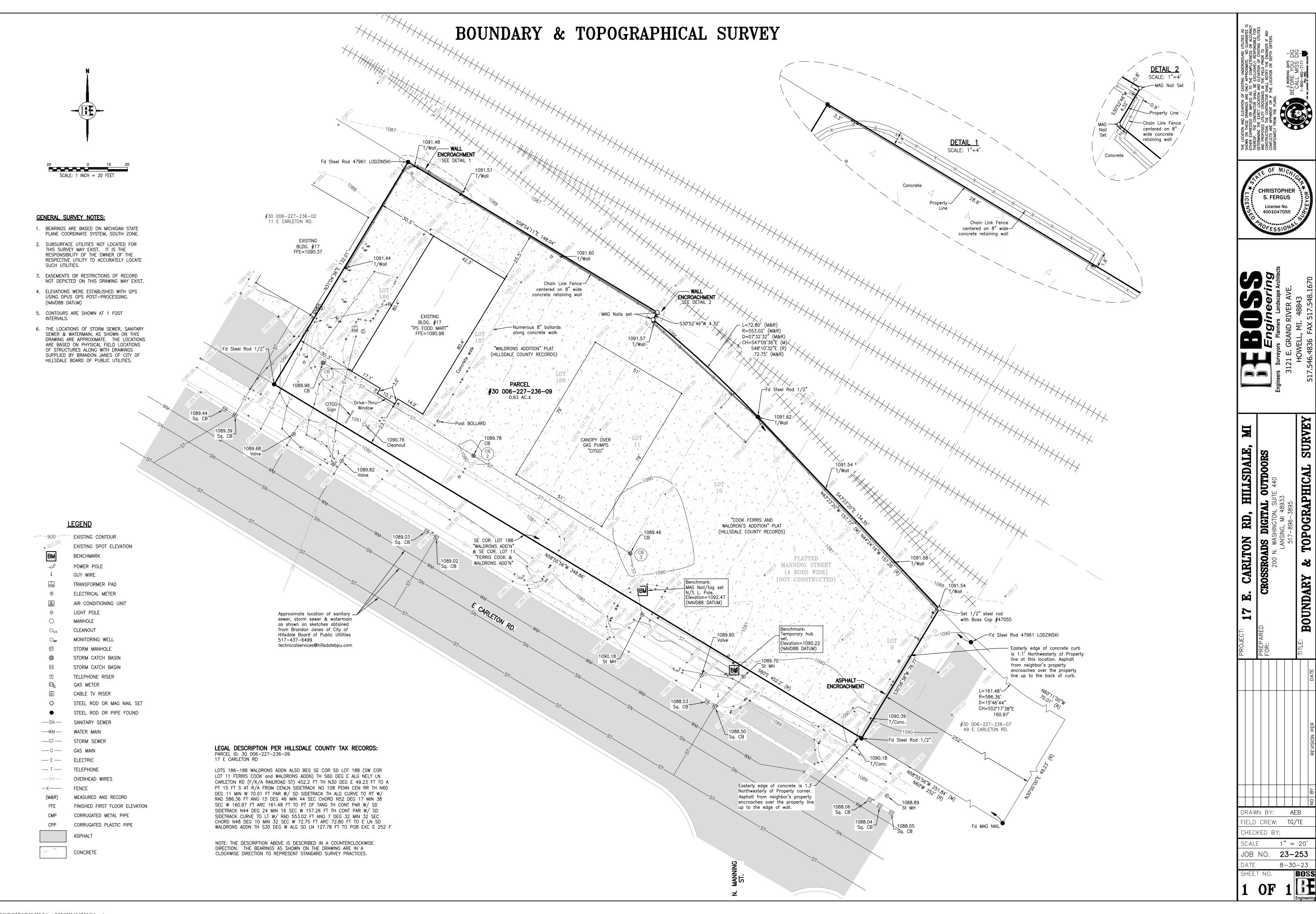
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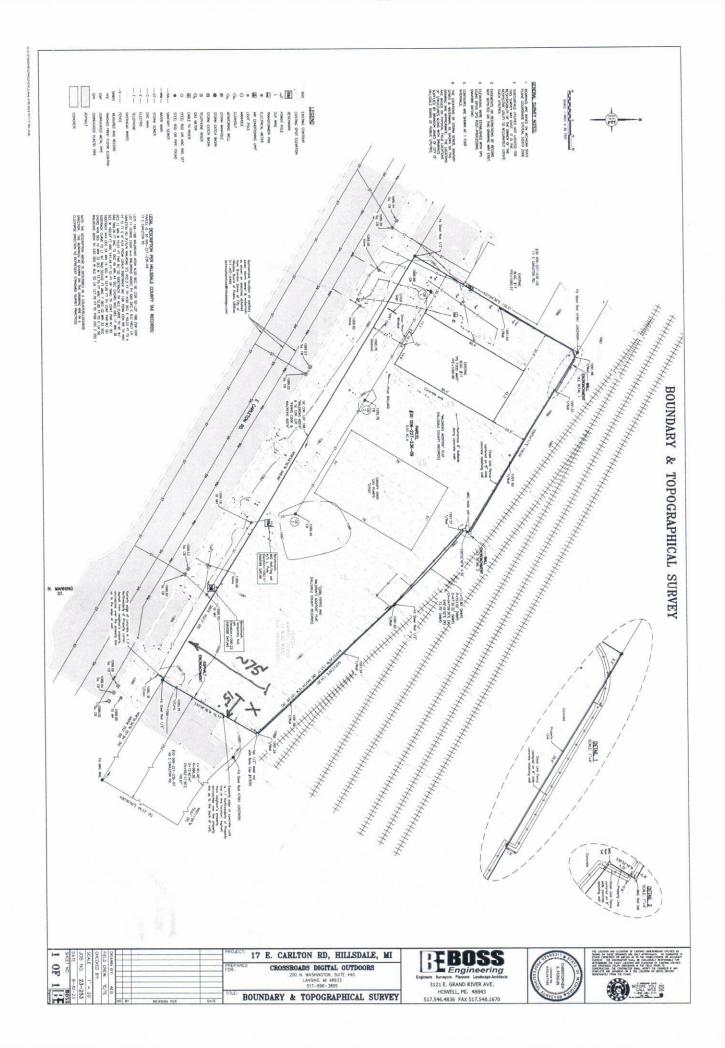
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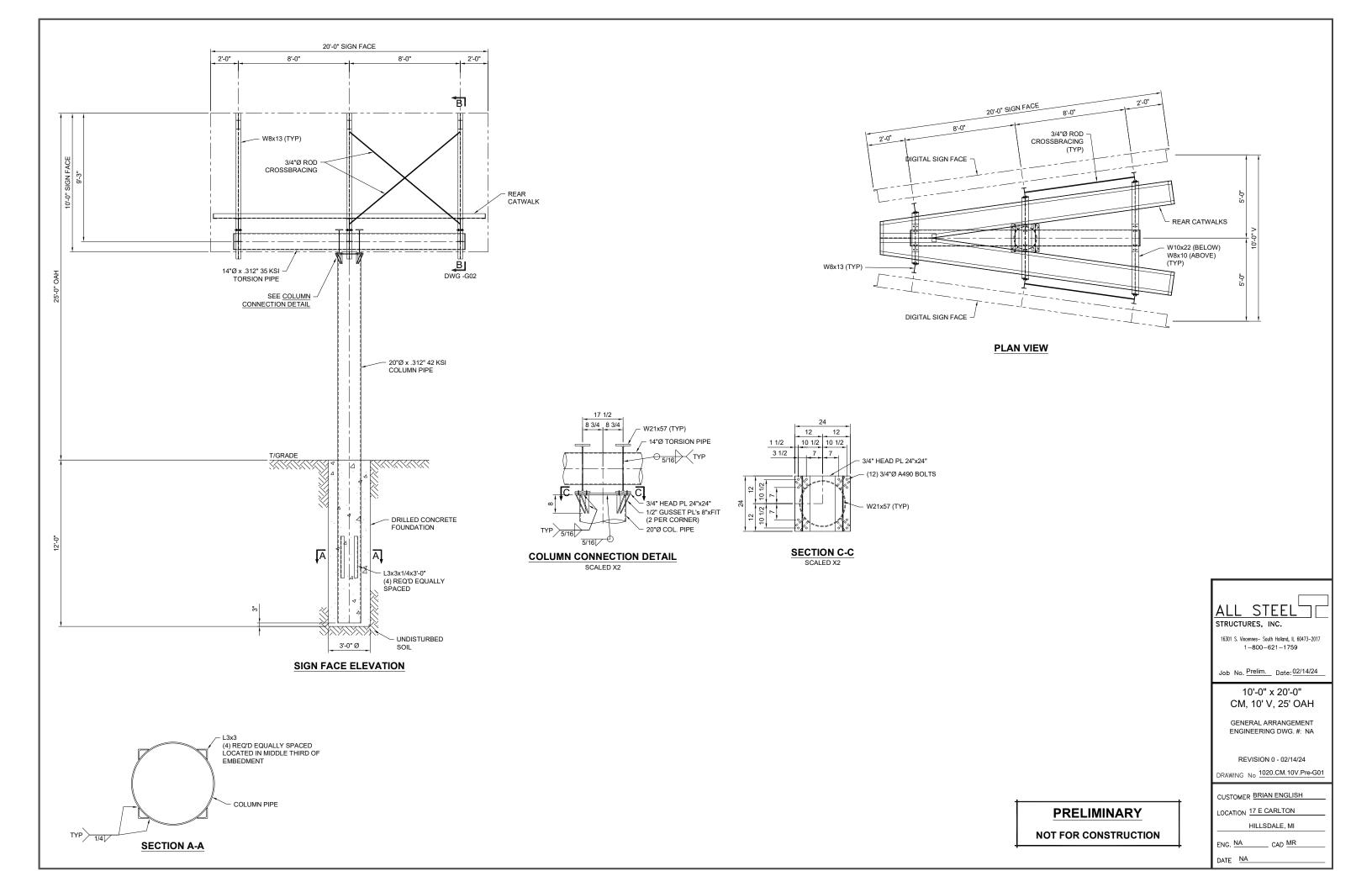


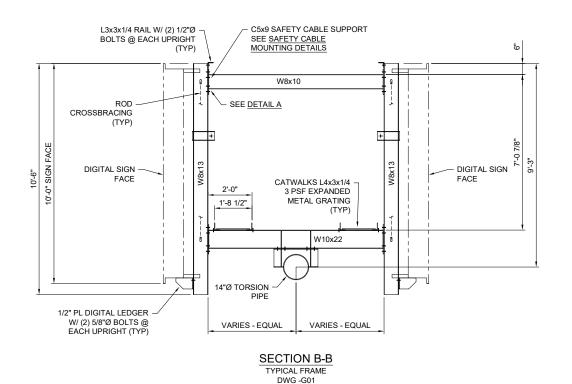


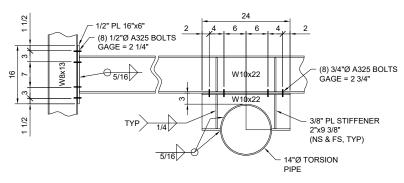




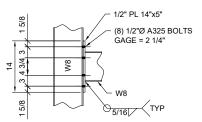








FRAME MOUNTING DETAIL REAR CATWALK NOT SHOWN SCALED X2



3/4"Ø ROD CROSSBRACING

THREADED AT ENDS

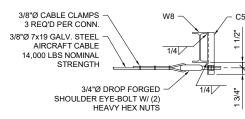
L3x3x1/4x0'-3"

W/ (2) HEAVY HEX NUTS

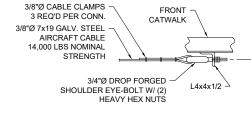
DETAIL A



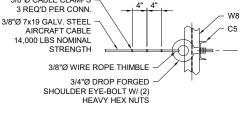
CROSSBRACING DETAIL



**REAR SAFETY CABLE** MOUNTING DETAIL

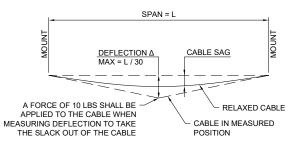


FRONT SAFETY CABLE MOUNTING DETAIL

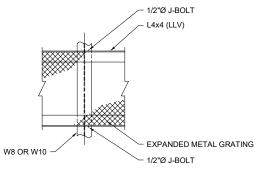


**REAR SAFETY CABLE** MOUNTING DETAIL

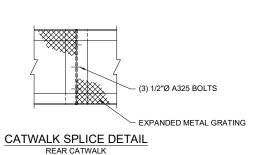
SIDE VIEW



SAFETY CABLE INSTALLATION CRITERIA FOR L = 16'-4" -- Δ = 6 9/16"



**CATWALK DETAIL** 



1/2"Ø J-BOLT (1) REQ'D EACH SIDE OF CÁTWALK AT EACH W8 OR W10 EXPANDED METAL GRATING

CATWALK MOUNTING DETAIL REAR CATWALK

> **PRELIMINARY NOT FOR CONSTRUCTION**



1-800-621-1759

Job No. <u>Prelim.</u> Date: 02/14/24

10'-0" x 20'-0" CM, 10' V, 25' OAH

GENERAL ARRANGEMENT ENGINEERING DWG. #: NA

REVISION 0 - 02/14/24

DRAWING No 1020.CM.10V.Pre-G02

CUSTOMER BRIAN ENGLISH LOCATION 17 E CARLTON

HILLSDALE, MI

ENG. NA \_ CAD MR

DATE NA



ALAN C. BEEKER
Zoning Administrator
97 North Broad Street
Hillsdale, Michigan 49242
(517) 437-6449 FAX: (517) 437-6450

# Staff Report VV2024-0001

# **Description**

On February 12, 2024, the applicant, Digital One, LLC; Brian English, on behalf of Convenience King Group, Inc. owner of 17 E Carleton St., submitted plans to the Planning Office to construct a 200 s.f., 25'-0" high billboard sign near the east property line. The plans had been reviewed preliminarily and it was determined that locating the billboard according to the required setbacks and height would eliminate too many parking spaces in the lot. The Zoning Administrator indicated that if the plans were submitted without meeting the ordinance required limits, the plan would be denied.

The plans were submitted on February 12, 2024 along with the variance request. Sign permit PS2024-002 was denied due to not meeting the required setback and overall height requirements. The submitted appeal request, VV24-0001, was opened on February 14, 2024. The Zoning Board of Appeals meeting date to hear the appeal has been set for March 13, 2024.

The appeal requests that the setback, 30'-0" from all property lines, be reduced to 10'-0" from the east property line and 15'-0" from the south property line. It also requests in increase in height from 20'-0" overall height to 25'-0" overall height.

# **Relevant Zoning Ordinance**

#### Sec. 26-31. All zoning districts.

The following sign regulations are applicable to all zoning districts:

- (1) Portable and temporary signs are prohibited, except as otherwise provided elsewhere in this chapter.
- (2) All signs shall not be placed in the right-of-way in any zoning district, unless otherwise provided elsewhere in this chapter.
- (3) All signs shall be prohibited from the sight clearance triangle.
- (4) Billboards shall be prohibited from all districts, except the general business (B-3) district. Billboards may not exceed 200 square feet in area, or 20 feet in height. Billboards must be set back a minimum of 30 feet from all property lines and shall be located a minimum of 1,000 feet from all other billboards on the same street. When abutting a residential district, no portion of the billboard shall be located closer than 200 feet from the property line. All permit applications for billboards must be submitted to the building department along with a landscaping plan.

(Ord. No. 2019-001, 1-21-2019)

#### Sec. 36-6. - Definitions.

General terms defined. For the purposes of this chapter, certain terms or words used in this chapter shall be interpreted as follows: "Person" includes a firm, association, organization, partnership, trust, company, or corporation as well as an individual. The present tense includes the future tense, the singular number includes the plural, and the plural number includes the singular; "shall" is mandatory, and the word "may" is permissive; "used" or "occupied" include the words "intended," "designed," or "arranged to be used or occupied"; "building" includes the

word "structure," and the word "dwelling" includes the word "residence"; the word "lot" includes the words "plot" or "parcel."

Sign means a sign as defined in section 26-2.

Sign, accessory, means a sign which is accessory to the principal use of the premises.

Sign, non-accessory, means a sign which is not accessory to the principal use of the premises.

#### Sec. 26-2. - Definitions.

The following words, terms and phrases, when used in this chapter, shall have the meanings ascribed to them in this section, except where the context clearly indicates a different meaning:

*Billboard* means an off-premises sign that conveys a message not related to the owner or occupant of the lot on which the sign is located.

Variance: The applicant is requesting a variance to reduce the required setbacks and increase the overall height of a billboard sign on parcel 006-227-236-09 located at 17 E. Carleton St.

#### **Staff Recommendation:**

Variance: Property setbacks, seeking 15'-0" off south property line and 10'-0" off east property line, 30'-0" setback required off all property lines. Sign height, seeking 25'-0" overall height, 20'-0" overall height is limit. Staff recommends that the Zoning Board of Appeals deny the variance request.