

**CITY OF DEXTER
ZONING BOARD OF APPEALS
MINUTES
Tuesday, April 17, 2017 at 7:00 pm**

AGENDA

A. CALL TO ORDER – Vice Chair Hansen called the meeting to order at 7:04 pm.

B. ROLL CALL –MEMBERS PRESENT:

P. Mekas, Chair - Absent

J. Rush

S. Hansen, Vice Chair

M. Schmid– PC Rep.

Zach Michels (Ex-Officio)

Also in attendance were Allison Bishop, applicant and residents.

C. APPROVAL OF MINUTES – Motion by Schmid, 2nd by Rush to approve the March 7, 2017 Meeting Minutes, as presented.

Voice vote, Motion carried.

D. APPROVAL OF THE AGENDA – Motion by Schmid, 2nd by Rush to approve the agenda, as presented. Motion carried.

E. STAFF REPORT – Michelle Aniol reported that:

- City Council and Planning Commission will be having a joint meeting in late-April or early-March.
- The Capital Improvements Plan was passed by the Planning Commission. City Council will see the CIP on April 24th.
- The Planning Commission will be considering amendments to the Zoning Ordinance during a May 3rd public hearing.
- Ms. Aniol provided schematics of the proposed Haeussler project; she requested that comments on the project be sent to her.
- Demolition of 8180 Main St., aka Mill Creek Sporting Goods began today.

F. SITE INSPECTION Conduct on their own

G. PUBLIC HEARINGS –

1. ZBA #2016.17-27 ZBA Sign Setback Variance, 2830 Baker Road (parcel ID number 08-08-06-400-005)

Staff introduced the case. The applicant sought to erect a 6 foot tall ground sign that would contain two tenant sign panels. Together the sign panels would have a total sign area of 27 sq. ft., per side. The sign panels sit atop a decorative brick base. The sign would be setback 1-foot from the planned Baker Road right-of-way, and 9 feet from the principal entrance driveway.

The existing building is setback 33.16 feet from the current Baker Road right-of-way line. As part of the redevelopment project, the city has requested the dedication of an additional 27 feet of road right-of-way. This additional 27 feet constitutes the “planned right-of-way” for Baker Road. The redevelopment will not change the buildings location; however, after dedication of the planned right-of-way, the building will only be setback 6.16 feet from the right-of-way, which is not a sufficient area to install a ground sign, much less meet the setback requirements.

Strict application of the required setbacks would result in the sign being located 3.84 feet behind the front line of the building, which on the north side means it would be in the parking lot, or on the south side it would be at the edge of the stormwater detention basin. Placing signage in either location would not allow it to be seen from the road.

Signage is not permitted to be located in an existing or planned road right-of-way. However, the property at 2844 Baker Road has an existing ground sign that does encroach into the planned right-of-way. The sign is a legal non-conformity, dating back before 1990.

Additionally, the buildings on the properties to the north of the subject site (2844 and 2870 Baker Road) are in line with the building on the subject site. Consequently, as these properties redevelop, they too may not meet the setback back requirements, especially if the existing building remains.

Staff introduced the petitioner, Allison Bishop of SPB Equities. Ms. Bishop reported that they are not proposing building-mounted signage and that they are trying to direct people to the pedestrian entrance. She also reported that they are not looking to install the maximum size signage. The Zoning Board of Appeals posed the following questions to the applicant:

- Q: Does this put your sign any further out than those nearby? (No, it is in-line with adjacent properties.)
- Q: How will you identify the various tenants of the building? (Likely a decal on the door.)
- Comment: It is a pleasure to hear that your sign does not take advantage of the maximum allowable size. (We felt that the proposed sign was appropriate for our needs.)
- Is the sign illuminated? (Yes, it is internally illuminated.)
- Will it be on all night? (It will likely be tied in with the parking lot lights.)
- Comment: Thank you for the description of why the variance was necessary and the map of where it would be located.

Vice Chair Hansen opened the public hearing at 7:24pm.

Chet Hill, 7550 4th St. – Mr. Hill indicated that he had not seen the specific proposed signage, but that signage in-general was concerning to him in that it can be precedent setting. Signage 1ft. off of the road right-of-way vs. 5 ft. off of the right-of-way concerns him when signs are proposed that close to the road. Signs are problematic and can diminish the character of the City. Signs can get out of hand quickly.

Vice Chair Hansen closed the public hearing at 7:27pm.

The Commission discussed the details of the sign, including its location, lighting, and landscaping.

Motion by Rush, 2nd by Hansen, based on the information provided by the applicant and staff at the April 17, 2017 Zoning Board of Appeals meeting, the Board determines the application, AP2016.17-27 ZBA Sign Setback Variance, submitted by SPB Equities II, LLC, for property located at 2830 Baker Road (parcel ID number (08-08-06-400-005), **MEETS** the criteria required for the considering a variance request, pursuant to Section 24.05, sub-section A.

Therefore, let it be resolved the Zoning Board of Appeals **GRANTS** the following variances from Section 7.03(1):

1. 9-foot variance from the required 10-foot setback from the planned Baker Road right-of-way; and
2. 6-foot variance from the 15-foot required setback from the principal entrance driveway.

Let it further be resolved, the applicant is **PERMITTED** to install a ground sign with a 1-foot setback from the planned Baker Road right-of-way, with said sign having a 9-foot setback from the principal entrance driveway.

The determination was made based on the following findings per Section 24.05 of the City of Dexter Zoning Ordinance (list criteria):

1. No reasonable locations for a sign
2. The sign is generally consistent with other signs in the area

3. The proposed sign does not negatively impact the health, safety, or welfare of the residents of the City

Ayes: Rush, Hansen and Schmid

Nays: Michels

Absent: Mekas

H. **ADJOURNMENT** – Motion by Schmid, 2nd by Rush to adjourn meeting at 7:51 pm.

Voice vote, Motion carried.

Respectfully submitted,

Justin Breyer
City Clerk/Assistant to the City Manager

Approved for filing: May 15, 2017