



AGENDA – ZONING BOARD OF APPEALS

September 26, 2024

5:30 PM

- I. Call to Order**
 - II. Pledge of Allegiance**
 - III. Roll Call**
 - IV. Adoption of September 26, 2024 Agenda**
 - V. Review of August 22, 2024 Meeting Minutes**
 - VI. Public Comment and Correspondence**
 - VII. Public Hearings**
 - A. 1 Comtronics Pl. – Dimensional Variance Request**
 - B. 1375 Boardman Rd. – Dimensional Variance Request**
 - VIII. Old Business**
 - IX. New Business**
 - X. Board Member Comments**
 - XI. Next Meeting Reminder**
 - A. Regular Meeting October 31, 2024 at 5:30 PM**
 - XII. Adjournment**
-



MINUTES – ZONING BOARD OF APPEALS MEETING

5:30 PM August 22, 2024

MEMBERS PRESENT: Karl Grieve, Clyde Mauldin, Peter Mulhearn, and Bob VanSumeren

MEMBERS ABSENT: None

STAFF PRESENT: Chris Atkin

I. Call to Order

Chairperson Grieve called the August 22, 2024 Zoning Board of Appeals meeting to order at 5:30 pm.

II. Pledge of Allegiance

III. Roll Call

IV. Adoption of Agenda

Board Member Grieve moved, with support from Board Member Mulhearn, to approve the August 22, 2024 Zoning Board of Appeals meeting agenda.

Motion passed 4-0 by voice vote.

V. Review of Zoning Board of Appeals Meeting Minutes

A. July 25, 2024

Board Member Grieve moved, with support from Board Member VanSumeren, to approve the July 25, 2024 Zoning Board of Appeals meeting minutes.

Motion passed 4-0 by voice vote.

VI. Public Comment and Correspondence

None

VII. Public Hearings

A. 2115 Tyson St. – Use Variance Request

Planner Atkin Planner Atkin summarized the applicant's use variance request.

Board Member Grieve moved, with support from Board Member Mauldin, to enter the Staff Report into the record as if read in whole.

Motion passed 4-0 by voice vote.

Public Hearing Opened at 5:34 pm

APPLICANT/PUBLIC COMMENTS

None.

Public Hearing Closed at 5:35 pm

BOARD COMMENTS

Member Mauldin stated he has no issues with the request and agrees with the staff report.

Member VanSumeren supports staff report.

Member Mulhearn supports staff report.

Board Member Mauldin moved, with support from Board Member Grieve, to approve the use variance request to permit single-family residential use of an existing structure in the I-2, General Industrial zoning district at 2115 Tyson Street.

Motion passed 4-0 by roll call vote.

B. 1228 Greenwood Ave. – Use Variance Request

Planner Atkin Planner Atkin summarized the applicant's use variance request.

Board Member Grieve moved, with support from Board Member Mauldin, to enter the Staff Report into the record as if read in whole.

Motion passed 4-0 by voice vote.

Public Hearing Opened at 5:38 pm

APPLICANT/PUBLIC COMMENTS

Applicant spoke in favor of the request.

Public Hearing Closed at 5:39 pm

BOARD COMMENTS

Member Grieve agreed with staff report, stated approval of the request would not disrupt the character of the area nor would approval prevent future commercial use at the site.

Board Member Grieve moved, with support from Board Member Mauldin, to approve the use variance request to permit ground/first floor residential use in the C-2, Community Commercial zoning district at 1228 Greenwood Avenue.

Motion passed 4-0 by roll call vote.

C. 514 Homewild Ave. – Dimensional Variance Request

Planner Atkin Planner Atkin summarized the applicant's dimensional variance request.

Board Member Grieve moved, with support from Board Member Mulhearn, to enter the Staff Report into the record as if read in whole.

Motion passed 4-0 by voice vote.

Public Hearing Opened at 5:49 pm

APPLICANT/PUBLIC COMMENTS

Cory Mays, applicant speaking on behalf of the City, spoke in favor of the dimensional variance request, stated that development of the lot is in the best interest of the neighboring property owners.

Public Hearing Closed at 5:53 pm

BOARD COMMENTS

Member Mauldin sought conformation of which side/front yard of the property the variance will be applied to.

Member VanSumeren inquired about the remaining vacant lots in the area and what the configuration of the pending land split/combination would result.

Board Member Mauldin moved, with support from Board Member VanSumeren, to approve the dimensional variance request to permit a five (5) foot minimum non-addressed front yard setback from the property line along N. Park Avenue at 514 Homewild Avenue (Parcel #7-02540).

Motion passed 4-0 by roll call vote.

VIII. Old Business

None

IX. New Business

X. Board Comments

Member VanSumeren asked about the appointment of an additional member.

Member Mauldin stated he will not be available for the September 26, 2024 meeting.

XI. Next Meeting Reminder

Chairwoman Grieve reminded the Board of the next regularly scheduled ZBA meeting on September 26, 2024 at 5:30pm.

XII. Adjournment

Board Member VanSumeren moved, with support from Board Member Mauldin, to adjourn.

Chairperson Grieve adjourned the August 22, 2024 Zoning Board of Appeals meeting at 6:06 pm.

Respectfully,



Christopher M. Atkin
Planning Director/Zoning Administrator
City of Jackson



Application for Variance

Requires a public hearing before Zoning Board of Appeals.

The \$500.00 variance fee must be submitted with the application.

Instructions and additional information on Page 2 and Page 3

Nature of Variance: ☒ Dimensional ☐ Supplemental ☐ Use

APPLICANT

John Campa
Name: COMTRONICS
Address: One Comtronics Place
City: JACKSON State: MI Zip: 49203
Phone: (517) 787-2900
Email: JOHN.CAMPA@COMTRONICS.COM

PROPERTY OWNER

☒ Same as applicant
Name: Water Street Capital, LLC
Address: One Comtronics Place
City: JACKSON State: MI Zip: 49203
Phone: (517) 206-3300
Email: JOHN.CAMPA@COMTRONICS.COM

ADDRESS SUBJECT TO VARIANCE REQUEST

Property Identification #: 5-0272.20
Address: 1 Comtronics Pl.
City: Jackson State: MI Zip: 49203
Nearest Intersection: E. Washington Ave.

Current Zoning Designation: I-1, Light Industrial
Current Use: ☐ Residential ☐ Commercial
☒ Industrial ☐ Mixed ☐ Vacant

VARIANCE INFORMATION (Attach additional pages as needed, use separate form for each code section being appealed)

- List Code Section number(s) from which a variance is requested from: Section 28-75
- Explain reason/purpose for variance (paraphrasing code language, attach additional pages if necessary):

Reduced side yard setback for building addition from northeasterly property boundary. Minimum required side yard setback distance is ten (10) feet, seeking a minimum side yard setback of 6.2 feet at closest point.

Is/will an attorney be representing your variance request: ☐ YES ☒ NO

If yes will the attorney be present at the ZBA meeting: ☐ YES ☐ NO

I hereby attest that I/we have read and understand the application form, that the information submitted is true and accurate, and agree to all the terms, conditions, and other City of Jackson Code requirements. I also give permission to the ZBA members and staff reviewers to enter my property to review aspects of the variance appeals request on the site.

John Campa

9/5/2024

Signature of Applicant

Date

Signature of Owner

Date

(If different than applicant)

If the owner cannot sign this form, the applicant shall submit a letter of consent from the property owner with this application.

OFFICE USE ONLY	
CASE: <u>P2BA 24-0010</u>	Application Accepted By: <u>RW</u>
Materials Submitted with Application: ☐ Plans ☐ Letter ☐ Other	
Total Pages Submitted: <u>2</u>	Amount of Fee Paid: \$ <u>500.00</u> ☐ Cash ☒ Check Check #: <u>8681</u>

A. INSTRUCTIONS TO APPLICANTS FOR VARIANCE OR APPEALS.

1. Separate application forms and added fees shall be submitted for each individual, unrelated type of variance.
2. For dimensional, supplemental, or use variance requests, the applicant shall submit an 8.5" x 11" sketch plan showing: dimensions from street/property lines, sidewalks, buildings on site and on adjoining property, utility easements, and other existing facilities and structures.
3. If the owner cannot sign this form, the applicant must submit a letter from the owner, requesting the variance.

B. THE FOLLOWING ITEMS MUST BE ADDRESSED.

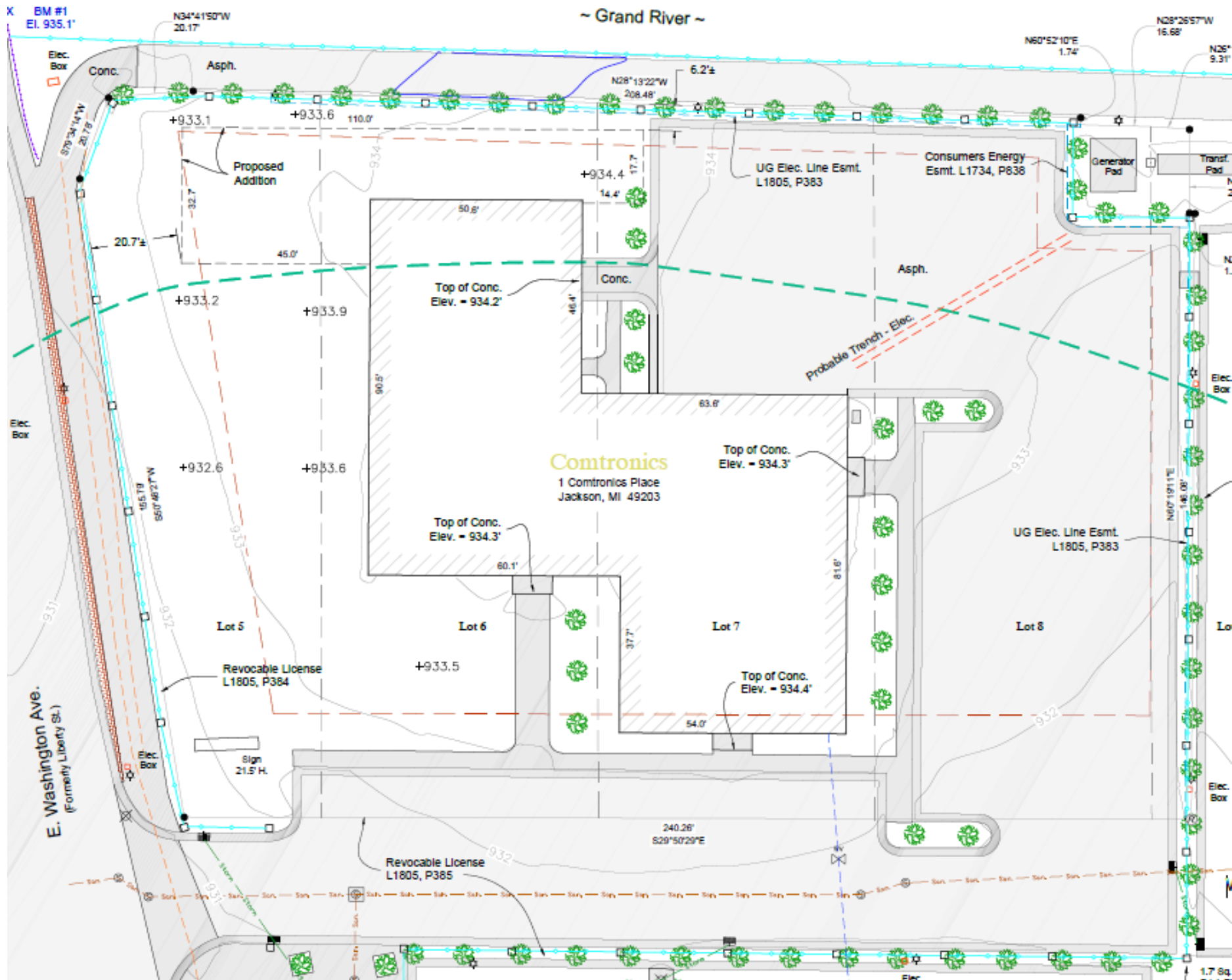
Your application will be considered incomplete and will not go before the Zoning Board of Appeals until Section C and/or Section D is complete; attach additional pages if necessary.

C. FOR DIMENSIONAL OR SUPPLEMENTAL VARIANCE – Provide responses for subsections 1 through 7.

In authorizing a variance with conditions, the board shall require such evidence and bond as it may deem necessary to ensure that the conditions are being and will be complied with. No variance in the provisions or requirements of this chapter shall be authorized by the board unless the board finds, by a preponderance of the evidence that all of the following facts and conditions exist:

1. There are exceptional or extraordinary conditions applying to the property that do not apply to other properties or classes of uses in the same zoning district. I did land swap with city in 2001, transferring the ownership of 25 feet of my river bank property (on far East side of my property) so city could install bike path along river.
2. The exceptional or extraordinary conditions do not result from the actions of any person with a current interest in the property. I agreed to do land swap so city could install city wide path along river bank, but now I need a variance to install a garage on East side of my property.
3. Strict compliance with this chapter would unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter. YES
4. The authorizing of such variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest. Correct, approving this request will have zero impact on adjacent properties.
5. The variance is the minimum variance possible for reasonable use of the property. Correct. I intend to park my company vans in garage at night, this is minimal variance possible.
6. The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area. Correct. this project will enhance the area and increase property values.
7. Such variance shall in no manner or guise be construed to allow a change of use but shall allow only a variation or modification from the provisions of this chapter. Correct.

John Campau
9-5-2024



**Dimensional Variance
1 Comtronics Pl.
City of Jackson, Michigan**

GENERAL INFORMATION

Applicant: John Campau on behalf of Comtronics
1 Comtronics Pl.
Jackson, MI 49203

Subject Location: 1 Comtronics Pl. (Parcel #5-0272.20)

Received Date: September 6, 2024

Current Zoning: I-1, Light Industrial

Action Required: The zoning board of appeals shall hear and decide only such matters as the board is specifically authorized to pass on as provided in this chapter (Chapter 28). The board has the power to grant variances, decide appeals on administrative decisions and to interpret the boundary lines of the zoning map. The board shall not have the power to alter or change the zoning district classification of any property; nor to make any changes in the terms of this article (Article VIII).

SITE/PROPERTY DESCRIPTION

The one (1) acre developed lot, site of Comtronics, is located northeast of the intersection of E. Washington St. and S. Cooper St.; the northeasterly boundary of the property is flanked by a public walking path and the Grand River. The existing structure, consisting of office space and warehouse, is approximately 9,500 square feet of total area.

The owner/applicant submitted an application to install a 2,622 square-foot addition on the northeast side of the warehouse section of the structure. The purpose of the addition is for enclosed storage of the businesses fleet to protect them from continued vandalism.



NEIGHBORING ZONING AND LAND USE

The property is currently I-1, Light Industrial; the table below identifies the surrounding zoning designations and current land uses.

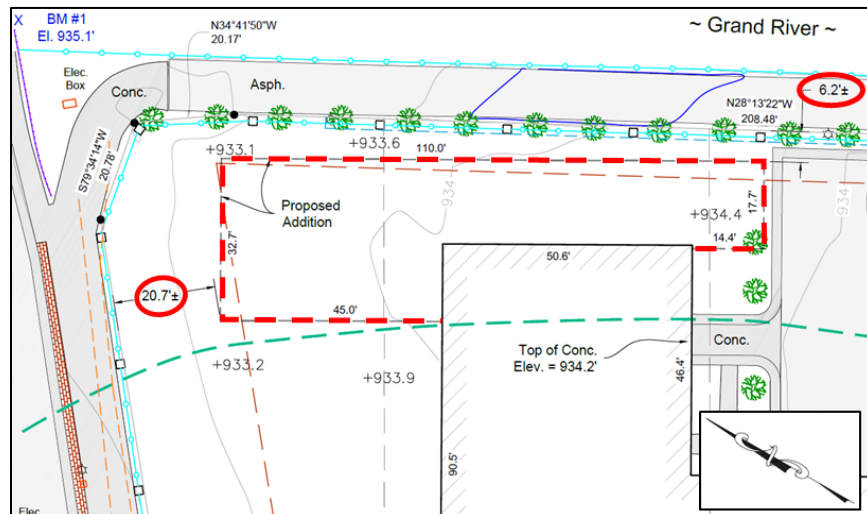


	North	South	East	West
Zoning	C-4, General Commercial	I-2, General Industrial	I-1, Light Industrial I-2, General Industrial	I-1, Light Industrial
Land Use	Vacant	Public Parking	Public and Commercial	Public Parking

VARIANCE REQUESTS

The applicant requests a dimensional variances from Section 28-75 which requires a ten (10) foot minimum side yard setback and a twenty-five (25) foot minimum front yard setback in the I-1, Light Industrial zoning district.

Approval will permit a six foot and two-tenths of an inch (6.2) minimum side yard setback between the nearest building corner and the northeasterly property line, and a twenty foot and seven-tenths of an inch (20.7) minimum front yard setback between the nearest building corner and the northwesterly property line.



DIMENSIONAL VARIANCE STANDARDS

Per Section 28-238(c) in authorizing a variance with conditions, the board shall require such evidence and bond as it may deem necessary to ensure that the conditions are being and will be complied with. No variance in the provisions or requirements of this chapter shall be authorized by the board unless the board finds, by a preponderance of the evidence that all of the following facts and conditions exist:

- (1) There are exceptional or extraordinary conditions applying to the property that do not apply to other properties or classes of uses in the same zoning district.

Staff Comment: *The property is unique in that it is located in an area where the zoning changes from C-3: General Commercial to I-1: Light Industrial. The site is located just east of downtown and buildings in the area were historically built with a zero lot line setback (as evidenced by McGowan Electric to the east and the Consumers Energy parking deck on the west side of Cooper St). Additionally, the property is located at an intersection where three streets converge: Cooper St, Washington Ave, and Water St.*

- (2) The exceptional or extraordinary conditions do not result from the actions of any person with a current interest in the property.

Staff Comment: *The uniqueness of the property is due to the existing zoning designation, lot configurations, and historical development of the area. The river also shapes the eastern edge of the property.*

- (3) Strict compliance with this chapter would unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter.

Staff Comment: *While it would not altogether limit new construction, strict compliance would limit the proposed square footage of the building and would limit the applicant's ability to expand his business at this site.*

- (4) The authorizing of such variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest.

Staff Comment: *As noted previously, many buildings in the area are built with a zero lot line setback as was customary in the downtown and light industrial areas. At the northeastern portion of the lot, the building, at its closest point, would be setback 6.2 feet from the lot line, however the proposed building would nearly meet the twenty five (25) foot setback requirement at the northwestern portion of the lot. It is not anticipated that the authorizing of a variance will be a detriment to adjacent properties or alter the character of the area.*

- (5) The variance is the minimum variance possible for reasonable use of the property.

Staff Comment: *Staff is of the opinion the dimensional variance requests are minimal and reasonable.*

- (6) The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area.

Staff Comment: *The dimensional variance requests will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area.*

- (7) Such variance shall in no manner or guise be construed to allow a change of use but shall allow only a variation or modification from the provisions of this chapter.

Staff Comment: *The dimensional variance requests will not allow, or give the appearance of, a change in use.*

RECOMMENDATION

Based on the following findings of fact, staff recommends approval of the dimensional variance requests, as presented, at 1 Comtronics Pl. (Parcel #5-0272.20).

1. *The site is located just east of downtown and buildings in the area were historically built with a zero lot line setback.*
2. *The uniqueness of the property is due to the existing zoning designation, lot configurations, and historical development of the area. The river also shapes the eastern edge of the property.*
3. *Authorizing the dimensional variances will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest.*
4. *The dimensional variance requests will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area.*

Respectfully,



Christopher M. Atkin
Planning Director, City of Jackson

cc: Applicant

CITY OF JACKSON

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN the City of Jackson Zoning Board of Appeals will hold a public hearing to hear a request for two (2) dimensional variances pursuant to Section 28-244 of the City of Jackson Zoning Ordinance and as detailed below.

Applicant:

John Campau on behalf of Comtronics
1 Comtronics Pl.
Jackson, MI 49203

Subject property:

1 Comtronics Pl. (Parcel #5-0272.20)

Variance Request:

Dimensional variance from Section 28-75 which requires a ten (10) foot minimum side yard setback and a twenty-five (25) foot minimum front yard setback in the I-1, Light Industrial zoning district.

Effect of request:

Approval will permit a six foot and two-tenths of an inch (6.2) minimum side yard setback between the nearest building corner and the northeasterly property line, and a twenty foot and seven-tenths of an inch (20.7) minimum front yard setback between the nearest building corner and the northwesterly property line

YOU ARE FURTHER NOTIFIED that the City of Jackson will hear all oral and written objections and comments regarding the dimensional variance requests at:

**5:30PM on September 26, 2024 in
City Hall Council Chambers, 2nd Floor
161 W. Michigan Avenue
Jackson, MI 49201**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request you may attend the public hearing or contact Chris Atkin at 517-768-6433 or catkin@cityofjackson.org with comments. Written comments may be mail to 161 W. Michigan Avenue, Jackson, MI 49201, c/o Chris Atkin. All comments and/or questions must be received no later than 5:00PM on September 26, 2024.

Application for Variance

Requires a public hearing before Zoning Board of Appeals.

The \$500.00 variance fee must be submitted with the application.

Instructions and additional information on Page 2 and Page 3

Nature of Variance: ☒ Dimensional ☐ Supplemental ☐ Use

APPLICANT

Name: Signarama Allen Park
Address: 6609 Allen Rd
City: Allen Park State: MI Zip: 48101
Phone: (313) 563-7601
Email: jranken@signsap.com

PROPERTY OWNER ☐ Same as applicant

Name: Rhino Holdings Jackson Crossing, LLC
Address: 2200 Paseo Verde Pkwy, Suite 260
City: Henderson State: NV Zip: 89052
Phone: (209) 573-0073
Email: jwall@rhinoig.com

ADDRESS SUBJECT TO VARIANCE REQUEST

Property Identification #: _____
Address: 1375 Boardman Rd
City: Jackson State: MI Zip: 49202
Nearest Intersection: _____

Current Zoning Designation: _____

Current Use: ☐ Residential ☒ Commercial
☐ Industrial ☐ Mixed ☐ Vacant

VARIANCE INFORMATION (Attach additional pages as needed, use separate form for each code section being appealed)

1. List Code Section number(s) from which a variance is requested from: _____

2. Explain reason/purpose for variance (paraphrasing code language, attach additional pages if necessary):

Business Signage square foot exception; large building, large setback, neighbor approved variance for larger signs

Is/will an attorney be representing your variance request: ☐ YES ☒ NO

If yes will the attorney be present at the ZBA meeting: ☐ YES ☐ NO

I hereby attest that I/we have read and understand the application form, that the information submitted is true and accurate, and agree to all the terms, conditions, and other City of Jackson Code requirements. I also give permission to the ZBA members and staff reviewers to enter my property to review aspects of the variance appeals request on the site.


Signature of Applicant

9/6/2024
Date

Jon Wall
Signature of Owner
(If different than applicant)

9/6/2024
Date

If the owner cannot sign this form, the applicant shall submit a letter of consent from the property owner with this application.

OFFICE USE ONLY

CASE: _____ Application Accepted By: _____

Materials Submitted with Application: ☐ Plans ☐ Letter ☐ Other _____

Total Pages Submitted: _____ Amount of Fee Paid: \$ _____ ☐ Cash ☐ Check Check #: _____

A. INSTRUCTIONS TO APPLICANTS FOR VARIANCE OR APPEALS.

1. Separate application forms and added fees shall be submitted for each individual, unrelated type of variance.
2. For dimensional, supplemental, or use variance requests, the applicant shall submit an 8.5" x 11" sketch plan showing: dimensions from street/property lines, sidewalks, buildings on site and on adjoining property, utility easements, and other existing facilities and structures.
3. If the owner cannot sign this form, the applicant must submit a letter from the owner, requesting the variance.

B. THE FOLLOWING ITEMS MUST BE ADDRESSED.

Your application will be considered incomplete and will not go before the Zoning Board of Appeals until Section C and/or Section D is complete; attach additional pages if necessary.

C. FOR DIMENSIONAL OR SUPPLEMENTAL VARIANCE – Provide responses for subsections 1 through 7.

In authorizing a variance with conditions, the board shall require such evidence and bond as it may deem necessary to ensure that the conditions are being and will be complied with. No variance in the provisions or requirements of this chapter shall be authorized by the board unless the board finds, by a preponderance of the evidence that all of the following facts and conditions exist:

1. There are exceptional or extraordinary conditions applying to the property that do not apply to other properties or classes of uses in the same zoning district. Exceptions are large building with a need for signs on front and back; with neighbor's signs being larger and approved which would make our allowed signs without a variance look tiny
2. The exceptional or extraordinary conditions do not result from the actions of any person with a current interest in the property. Yes, the application is for a tenant moving into existing space.
3. Strict compliance with this chapter would unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter. Yes, the restriction on the square foot allowance would make the new sign look awkwardly small in comparison to the wall space and neighbors sign.
4. The authorizing of such variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest. The adjacent neighbor was already approved for this similar variance.
5. The variance is the minimum variance possible for reasonable use of the property. Yes, proportionally matching what was approved for neighbor.
6. The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area. No, sign should have no impairment of light, or cause congestion to public streets, or increase in danger to public safety.
7. Such variance shall in no manner or guise be construed to allow a change of use but shall allow only a variation or modification from the provisions of this chapter. Yes.

D. FOR USE VARIANCE – Provide responses for subsections 1 through 4.

The zoning board of appeals may grant a use variance only upon finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of the following:

1. The property cannot be reasonably used for any purpose permitted in the zoning district. There must be financial proof of the applicant's inability to realize any reasonable return; speculation or a qualitative assessment is inadequate. _____

2. The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must demonstrate that there are certain features that make it impossible to earn a reasonable return without some adjustment. In those situations where others share the difficulty, the zoning board of appeals may find that relief should be accomplished by an amendment to the zoning ordinance, not a variance.

3. The problem and resulting need for the variance has not been self-created by the applicant. _____

4. The variance will not alter the essential character of the area. In determining whether this criteria has been met, the established type and pattern of land uses in the area and the natural characteristics of the site and surrounding area shall be considered. _____

Signarama Allen Park
6609 Allen Rd
Allen Park, MI 48101

1607

9-6 20 24

6-7041/2410

PAY TO THE
ORDER OF

Community Development - City of Jackson \$ 500.00
five hundred and 00/100

DOLLARS

Security features
are included.
Details on back.

Charter One Bank

FOR

ZBA meeting

[Signature]

MP

⑈001607⑈



OVER ALL SIZE: W: 202 inch x H: 105 inch
total square foot: 147.29 sq ft

Allen Park
SignaramaTM
The way to grow your business.
313-563-7601

THIS DRAWING IS THE PROPERTY OF
SIGNARAMA ALLEN PARK.
COPYING OR DUPLICATION OF THIS
DRAWING IS PROHIBITED
AND MUST BE RETURNED UPON OUR REQUEST.



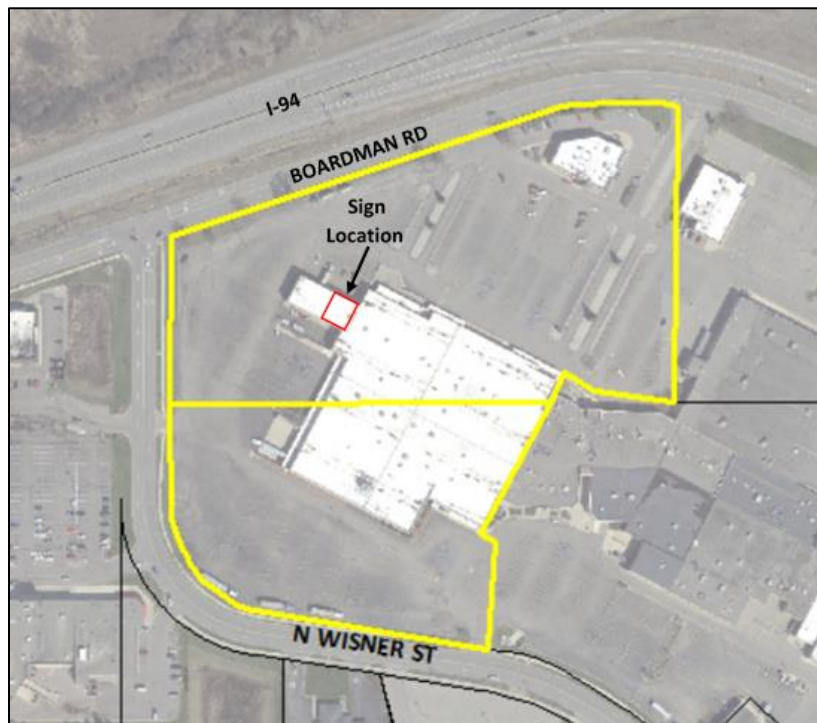
**Dimensional Variance
1375 Boardman Road
City of Jackson, Michigan**

GENERAL INFORMATION

Applicant:	Signarama on behalf of House of Umami 6609 Allen Rd. Allen Park, MI 48101
Subject Location:	1375 Boardman Road (Parcel # 2-24730)
Received Date:	September 6, 2024
Current Zoning:	PB, Planned Building Group Shopping Center
Action Required:	The zoning board of appeals shall hear and decide only such matters as the board is specifically authorized to pass on as provided in this chapter (Chapter 28). The board has the power to grant variances, decide appeals on administrative decisions and to interpret the boundary lines of the zoning map. The board shall not have the power to alter or change the zoning district classification of any property; nor to make any changes in the terms of this article (Article VIII).

SITE/PROPERTY DESCRIPTION

The 8.50-acre subject site, which is part of a multi-unit structure occupying a combined fifteen (15) acres, is located near the intersection of Boardman Road and N. Wisner Street; the tenant will occupy approximately 2,600 square-feet of the former Sears Auto Centers.



NEIGHBORING ZONING AND LAND USE

The subject property is currently zoned PB, Planned Building Group Shopping Center. The table below identifies the surrounding zoning designations and current land uses.



	North	South	East	West
Zoning	PB, Planned Building Group Shopping Center	PB, Planned Building Group Shopping Center & C-4, General Commercial	PB, Planned Building Group Shopping Center	C-4, General Commercial (Blackman Township)
Land Use	Retail	Retail	Retail	Retail

VARIANCE REQUEST

The applicant requests a dimensional variance from zoning ordinance Section 28-253(I) which permits a maximum of one wall sign or projecting sign per façade and any allowable sign area of two (2) square feet for each lineal foot of the length of the primary building façade up to a maximum of one hundred (100) square feet.

Approval of the dimensional variance will permit installation of a 147 square-foot wall sign on the northeastern façade.

DIMENSIONAL VARIANCE STANDARDS

Per Section 28-238(c) in authorizing a variance with conditions, the board shall require such evidence and bond as it may deem necessary to ensure that the conditions are being and will be complied with. No variance in the provisions or requirements of this chapter shall be authorized by the board unless the board finds, by a preponderance of the evidence that all of the following facts and conditions exist:

- (1) There are exceptional or extraordinary conditions applying to the property that do not apply to other properties or classes of uses in the same zoning district.

Staff Comment: The area of the occupied space, combined acreage of the property, and setback distances are disproportionate to the allowable sign area. Furthermore, the phased redevelopment of the entire site area includes developing out lots along Boardman Road.

- (2) The exceptional or extraordinary conditions do not result from the actions of any person with a current interest in the property.

Staff Comment: *The exceptional or extraordinary conditions are not result from the actions of any person with a current interest in the property.*

- (3) Strict compliance with this chapter would unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter.

Staff Comment: *Strict compliance with this chapter would not unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter. However, as stated previously, the phased redevelopment of the entire site area includes developing out lots along N. Wisner Street and Boardman Road possibly further obstructing the view of a 100 square-foot sign.*

- (4) The authorizing of such variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest.

Staff Comment: *Granting the requested dimensional variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest. Approval of a similar variance for the adjoining business occurred in 2021 and 2022.*

- (5) The variance is the minimum variance possible for reasonable use of the property.

Staff Comment: *Staff is of the opinion the variance request is reasonable.*

- (6) The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area.

Staff Comment: *The requested dimensional variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area.*

- (7) Such variance shall in no manner or guise be construed to allow a change of use but shall allow only a variation or modification from the provisions of this chapter.

Staff Comment: *The requested variance will not allow, or give the appearance of, a change in use.*

RECOMMENDATIONS

Based on the following findings of fact, staff recommends approval of the requested dimensional variance as presented by the applicant, at 1375 Boardman Road (Parcel # 2-24730).

- 1. The area of the occupied space, combined acreage of the property, and setback distances are disproportionate to the allowable sign area. Furthermore, the phased redevelopment of the entire site area includes developing out lots along Boardman Road.*
- 2. The requested dimensional variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area.*
- 3. The requested variance will not allow, or give the appearance of, a change in use.*

Respectfully,

Christopher M. Atkin

CITY OF JACKSON

ZONING BOARD OF APPEALS

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN the City of Jackson Zoning Board of Appeals will hold a public hearing to hear a request for a dimensional variance pursuant to Section 28-244 of the City of Jackson Zoning Ordinance and as detailed below.

Applicant:

Signarama – Allen Park
6609 Allen Rd.
Allen Park, MI 48101

Subject Property:

1375 Boardman Rd.
Jackson, MI 49202
(Parcel # 2-24730)

Variance Request:

The applicant requests a dimensional variance from zoning ordinance Section 28-253(I) which permits a maximum of one wall sign or projecting sign per façade and any allowable sign area of two (2) square feet for each lineal foot of the length of the primary building façade up to a maximum of one hundred (100) square feet.

Effect of request:

Approval of the dimensional variance will permit installation of a 147 square-foot wall sign on the northeastern façade.

YOU ARE FURTHER NOTIFIED that the City of Jackson will hear all oral and written objections and comments regarding the dimensional variance requests at:

**5:30PM on September 26, 2024 in
City Hall Council Chambers, 2nd Floor
161 W. Michigan Avenue
Jackson, MI 49201**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request you may attend the public hearing or contact Chris Atkin at 517-768-6433 or catkin@cityofjackson.org with comments. Written comments may be mail to 161 W. Michigan Avenue, Jackson, MI 49201, c/o Chris Atkin. All comments and/or questions must be received no later than 5:00PM on September 26, 2024.