

MANISTEE CITY ZONING BOARD OF APPEALS

City Hall, 70 Maple Street
Manistee, MI 49660

ORGANIZATIONAL MEETING AND PUBLIC HEARING

MEETING MINUTES

January 23, 2020

A meeting of the Manistee City Zoning Board of Appeals was held on January 23, 2020 at 2:00 pm in the Council Chambers, City Hall, 70 Maple Street, Manistee, Michigan.

MEMBERS PRESENT: Duane Jones, Kathryn Levy and Glenn Zaring

MEMBER ABSENT: Denis Johnson and Marlene McBride

OTHERS Kyle Storey (City Zoning Administrator) and Nancy Baker (Recording Secretary)

The meeting was called to order at 2:00 p.m. by Chair Zaring

APPROVAL OF AGENDA:

Chair Zaring amended the agenda with the Election of Officers and By-laws to be placed as the first order of business.

Election of Officers 2020

According to the City of Manistee Zoning Board of Appeals By-laws the election of officers organizational meeting is to be conducted in January.

Chair

At this time the meeting was turned over to Kyle Storey who asked for nominations for the position of Chair.

Duane Jones nominated Glenn Zaring for position of Chair.

There were no other nominations, nominations were closed.

Roll call vote:

Yes: Jones, Levy, Zaring

Glenn Zaring was elected Chair for the Zoning Board of Appeals for 2020.

Vice Chair

At this time the meeting was turned over to Chair Glenn Zaring who asked for nominations for the position of Vice Chair.

Glenn Zaring nominated Duane Jones for position of Vice Chair.

There were no other nominations, nominations were closed.

Roll call vote:

Yes: Jones, Levy, Zaring

Duane Jones was elected Vice Chair for the Zoning Board of Appeals for 2020.

Secretary

Duane Jones nominated Kathryn Levy for position of Secretary.

There were no other nominations, nominations were closed.

Roll call vote:

Yes: Jones, Levy, Zaring

Kathryn Levy was elected Secretary for the Zoning Board of Appeals for 2020.

Appointment of Recording Secretary 2020

Glenn Zaring and Kathryn Levy appointed Nancy Baker to act as the Recording Secretary for the Zoning Board of Appeals for the year 2020.

By-laws Review

The City Zoning Board of Appeals shall annually review the By-laws.

Duane Jones motioned, seconded by Kathryn Levy for the By-laws to stand as written with the understanding they can be amended at anytime during the year.

Motion passes unanimously.

APPROVAL OF MINUTES:

The ZBA approved the December 19, 2019 minutes unanimously by email consent, by written signature.

PUBLIC HEARING:

None

BUSINESS SESSION:

Action of Pending Cases

220 Arthur Street

Mr. Storey stated the applicant has provided more information regarding the requested variance for directional signs. This information outlines setbacks along with a different type of sign. The sign request is to place 1 directional monument sign, not a pole sign, to help mark the existing business drive.

Mr. Amor conveyed that the original request was for 3 directional signs. The sign for the existing drive has been revised. The other 2 signs will be revisited when the second drive is completely developed.

Mr. Storey reviewed each basic condition and the specific conditions for the 1 directional sign in the location of the existing business drive.

Basic Conditions:

1. The requested variance is not contrary to the public interest or to the intent and purpose of this ordinance.
Roll Call Vote:
Yes: Jones, Zaring, Levy
No: none
Condition has been met.

2. The requested variance does not establish a use that is not permitted by right or by special use permit in the zoned district.
Roll Call Vote:
Yes: Jones, Zaring, Levy
No: none
Condition has been met.

3. The requested variance does not create an adverse affect upon properties in the immediate vicinity or in the district.
Roll Call Vote:
Yes: Jones, Zaring, Levy
No: none
Condition has been met.

4. The requested variance is not of a recurrent nature to require a change in the Zoning Ordinance.
Roll Call Vote:
Yes: Jones, Zaring, Levy
No: none
Condition has been met.

5. The requested variance is for property under the control of the applicant.
Roll Call Vote:
Yes: Jones, Zaring, Levy
No: none
Condition has been met.

6. The requested variance was not self-created by the applicant or property owner.
Roll Call Vote:
Yes: Jones, Zaring, Levy
No: none
Condition has been met.

7. There is not an alternative that would allow the improvement to the property without the requested variance.

Roll Call Vote:

Yes: Jones, Zaring, Levy

No: none

Condition has been met.

8. The requested variance is the minimum amount necessary to still permit the reasonable use of the land.

Roll Call Vote:

Yes: Jones, Zaring, Levy

No: none

Condition has been met.

Special Conditions: 1 condition is required to be met; the applicant presented 3 special conditions for the driveway sign. One condition is to identify the entrance/exit sign for good visibility for the safety of the traffic because of the road curve.

Roll Call Vote:

Yes: Jones, Zaring, Levy

No: none

The Variance Request for Appeal at 220 Arthur Street for 1 directional monument sign for the existing drive has been approved. The ZBA is requiring that a variance application request for the 2 remaining signs be brought before the ZBA when the drive location for these signs has been developed.

160 Memorial Drive

Mr. Storey stated the motion at the previous meeting was too specific and was to be more general in content. The language for the sign ordinance was to be interpreted by the ZBA due to conflicting interpretations. In order to read the existing language of the ordinance he recommends the word "principal building" be changed to read "storefront elevation".

Mr. Armor, Amor Signs, is not asking for a variance but rather guidance in the interpretation of the ordinance regarding what is a "principal" part of a building and clarification on the maximum square footage for wall signs.

Mr. Storey informed the ZBA a draft to the revised ordinance has been reviewed by the Planning Commission. There will be an ordinance draft work session this spring with a possible mid-year 2020 ordinance adoption date.

MOTION by Ms. Levy, seconded by Mr. Jones to accept the proposed changes to Section 2012 A.4.a. through A.4.c. for the changes in the language from principal building to storefront elevation and to include the language changes in the sign regulation table.

Roll Call Vote:

Yes: Jones, Zaring, Levy

No: none

Motion passed by roll call vote.

Mr. Storey stated all future sign permits will be referred to as storefront elevation and not principal building.

OLD BUSINESS

None

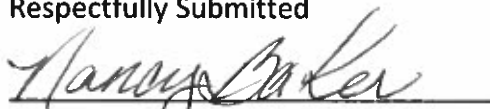
PUBLIC COMMENTS AND COMMUNICATIONS

None

ADJOURNMENT:

Meeting was adjourned by call of the Chair at 2:43 p.m.

Respectfully Submitted



Nancy Baker, Recording Secretary