

**ZONING BOARD OF APPEALS  
MEETING MINUTES  
June 22, 2016  
CITY COUNCIL CHAMBER  
7:00 P.M.**

**1. CALL TO ORDER**

The meeting was called to order at 7:05 pm.

**II. ROLL CALL**

**Present:** J. Bailey, T. Roach, J. Albers, E. Seymour,

**Absent:** J. Talaga (excused)

**Staff:** B. Wessler, Planner II  
N. Schuette, Executive Secretary  
C. Kochanek, Planner I

**III. APPROVAL OF MINUTES**

Commissioner Albers moved to approve the minutes of January 27, 2016 (Support: E. Seymour) and the motion carried unanimously.

**IV. PURPOSE OF MEETING**

Chairman Bailey stated the purpose of the meeting

**V. OLD BUSINESS**

None

**VI. NEW BUSINESS**

1. Variance – 575 S. Mansfield

Ms. Kochanek stated that this is a request for a variance at 575 S. Mansfield for a digital billboard from Sec122-866(d)(1)(C)(2). This parcel is an 8.7 acre lot on S. Mansfield just west of Paint Creek. The southern portion of the lot borders I-94. A 24,000 sq. ft. single story commercial building currently exists. There are two existing static billboard structures, each with two faces, adjacent to I-94, as well as a cell tower, for which a height variance was approved in 1996. The billboard structure in question is the

westernmost one on this property, south of the existing building. Billboards are regulated under Sec122-866(d)(1).

The applicant is requesting to replace the existing back-to-back static billboard signs with back-to-back digital billboard signs on the billboard on the west of the property. The applicant is requesting a variance from the requirement that two non-conforming billboard faces be removed for each new digital face. The applicant does not have any non-conforming billboards within the city limits and in fact, owns only one billboard structure within the City.

Ms. Kochanek stated that it is currently zoned PMD. Staff recommended approval with various findings.

Chairman Bailey asked the size of the sign, to which, Ms. Kochanek responded it was 672 sq. ft. in billboard space. Ms. Wessler added that they do not own any other signs in the city.

Commissioner Roach moved to open the public portion of the hearing (Support: J. Albers) and the motion carried unanimously.

**James Walsh, Attorney for the applicant** – stated that the applicant is willing to comply with everything as stated in the staff report dated June 16, 2016. It is his opinion that the sign will be more enhanced. Commissioner Roach asked if they will be advertising for anyone that is willing to pay. Mr. Walsh that they will also be doing public service advertising, i.e. amber alerts, traffic issues, weather issues, working with the State Police and FEMA but for the most part, it will be commercial advertising.

Commissioner Albers moved to close the public portion of the hearing (Support: E. Seymour) and the motion carried unanimously.

Commissioner Roach moved to approve staff recommendation of approval of the variance from Sec122-866(d)(1)(c)(2) to permit the conversion of static billboard faces to digital faces on the western billboard at 575 S. Mansfield without removing two non-conforming billboards, as submitted on May 5, 2016, with the following findings:

1. The applicant has shown sufficient practical difficulty under Sec122-94(b)(1).
2. Such a variance is necessary for the preservation and enjoyment of a substantial property right enjoyed by other property owners in the PMD district under the terms of the zoning ordinance, per the standards of Sec122-94(2)
3. The practical difficulty being proposed is not self-created, per Sec122-94(3).
4. The granting of this variance will not be detrimental to the public welfare or injurious to other property or improvements in the neighborhood in which the property is located, per Sec122-94(4).
5. The allowance of the variance will result in substantial justice being done, given the conditions spelled out in Sec122-94(b)(5).
6. the allowance of the variance will be the minimum that makes possible a reasonable use by this owner, under Sec122-94(6).

The motion was supported by Commissioner Albers and a voice vote was carried unanimously.

2. Commissioner Seymour stated that he would be resigning from the board effective July, since he will be moving out of the City.

3. Elections

Commissioner Roach moved to re-appoint John Bailey as Chair (Support: J. Albers) and the motion carried unanimously.

Chairman Bailey moved to appoint Jake Albers as Vice-Chair (Support: T. Roach) and the motion carried unanimously.

4. Ms. Wessler informed the board members of the Regional Transportation Authority meeting on Monday, June 27 at 6 p.m. at the Washtenaw County Learning Resource Center in Ann Arbor to view and comment on the new Master Plan for Public Transportation that will connect our entire region.

## **VII. ADJOURNMENT**

Since there was no further business, Commissioner Albers moved to adjourn the meeting (Support: E. Seymour) and the motion carried unanimously. The meeting adjourned at 7:30 p.m.