

MINUTES
REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS
CITY OF OWOSSO
JUNE 19, 2018 AT 9:30 A.M.
CITY COUNCIL CHAMBERS

CALL TO ORDER: The meeting was called to order by Chairman Randy Horton at 9:30 a.m.

ROLL CALL: Was taken by Tanya Buckelew.

MEMBERS PRESENT: Chairman Randy Horton, Board Member Tom Taylor and Alternate John Horvath

MEMBERS ABSENT: Vice-Chairman Christopher Eveleth, Board Member Kent Telesz and Alternate Matt Grubb

OTHERS PRESENT: Owner of IHM Enterprises – Hit & Pitch and lawyer representation from English Law Firm

AGENDA: IT WAS MOVED BY BOARD MEMBER TAYLOR AND SUPPORTED BY ALTERNATE HORVATH TO APPROVE THE AGENDA FOR THE JUNE 19, 2018 REGULAR MEETING AS PRESENTED.

YEAS: ALL. MOTION CARRIED.

MINUTES: IT WAS MOVED BY ALTERNATE HORVATH AND SUPPORTED BY CHAIRMAN HORTON TO APPROVE THE MINUTES OF FEBRUARY 20, 2018 AS PRESENTED.

YEAS: ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum
2. ZBA minutes from February 20, 2018
3. Variance application – 114 W Main St
4. Public notice – 114 W Main St

COMMISSIONER/PUBLIC COMMENTS: None.

PUBLIC HEARINGS:

1. **114 W Main St – VARIANCE – (RESOLUTION)**

Ms. Buckelew stated 2 comments were received that were not in favor of allowing the LED lighting in the downtown historic district. One was a phone call/blocked number no name given. The other complaint was received from a downtown business owner. There was not any Public present during the Public Hearing.

1. VARIANCE REQUEST – 114 W MAIN ST

Attorney from English Law Office, representing the applicant, commented on the LED rope lights inside the building, around the windows. The business was cited by the city for having the lights and exceeding the amount of signage allowed for a business. Further comments included the lights add character to the area, brings people in, professional looking and matched the other signs at the business.

At this time, the ZBA Members discussed this Variance Request and the Sign Ordinance. Various discussions were held regarding the definition of a sign. Board Member Taylor, also represents the Planning Commission, stated the intentions of the Planning Commission when this ordinance was amended in 2017. The LED lights in this instance were not considered to be signage per the definition of signage in the ordinance.

UPON MOTION OF BOARD MEMBER TAYLOR SECONDED BY ALTERNATE HORVATH, THE BOARD HAS FOUND THERE IS NO VARIANCE TO BE HAD AS THE APPLICANT IS NOT IN VIOLATION OF THE CITY OF OWOSSO'S SIGN ORDINANCE. LED LIGHTING IN THE WINDOWS, IN THIS INSTANCE, DOES NOT MEET THE DEFINITION OF A SIGN AS PER CITY OF OWOSSO SIGN ORDINANCE CHAPTER 26 ARTICLE III – DEFINITIONS SEC. 26-9 – SIGN DEFINITIONS:
SIGN: ANY DEVICE, STRUCTURE, FIXTURE, FIGURE, SYMBOL, BANNER, PENNANT, FLAG, BALLOON, LOGO OR PLACARD CONSISTING OF WRITTEN COPY, SYMBOLS, LOGOS AND/OR GRAPHICS.

ROLL CALL VOTE WAS TAKEN:

AYES: CHAIRMAN HORTON, BOARD MEMBER TAYLOR AND ALTERNATE HORVATH.

NAYS: NONE.

ABSENT: VICE-CHAIRMAN EVELETH, BOARD MEMBER TELESZ AND ALTERNATE GRUBB.

BUSINESS ITEMS: None

COMMISSIONER/PUBLIC COMMENTS: None.

ADJOURNMENT:

MOTION BY ALTERNATE HORVATH AND SUPPORTED BY BOARD MEMBER TAYLOR TO ADJOURN AT 10:10 A.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING ON TUESDAY, JULY 17, 2018, IF ANY REQUESTS ARE RECEIVED.

YEAS: ALL. MOTION CARRIED.

Secretary