

OWOSSO
Zoning Board of Appeals



Regular Meeting
9:30 a.m.
February 20, 2018
Owosso City Council Chambers



MEMORANDUM

301 W. MAIN • OWOSSO, MICHIGAN 48867-2958 • (989) 725-0599 • FAX (989) 723-8854

DATE: February 8, 2018

TO: Chairman Horton and the Owosso ZBA

FROM: Susan Montenegro, Asst. City Manager / Dir. of Community Development

RE: Zoning Board of Appeals Meeting: Tuesday, February 20, 2018 at 9:30 a.m.

The Zoning Board of Appeals shall convene in the city council chambers at 9:30 a.m. on Tuesday, February 20, 2018 to hear a petition for a Class A nonconforming Use Designation. The applicant seeking the designation is located at 640 N. Shiawassee Street, parcel # 050-250-000-003-00. The property is zoned for local business use with a B-1 zoning designation. The petitioner is seeking a dimensional variance to waive the 10' setback requirement as outlined in the packet.

Summarily, this request will take scrutiny and deliberation from the ZBA of the findings, as well as the public hearing. Staff issues no recommendation on this petition; ZBA must deliberate and determine the outcome

That is all for now. Please go through the rest of your packet contents and **RSVP for the meeting**. Please contact me if you have any questions, comments, or other feedback at susan.montenegro@ci.owosso.mi.us or at the office at 989.725.0544. I look forward to seeing you all on February 20th.

AGENDA

Owosso Zoning Board of Appeals

Tuesday, February 20, 2018 at 9:30 a.m.

Council Chambers – Owosso City Hall

Owosso, MI 48867

CALL MEETING TO ORDER:

ROLL CALL:

APPROVAL OF AGENDA: February 20, 2018

APPROVAL OF MINUTES: November 21, 2017

SITE INSPECTIONS: None

COMMUNICATIONS:

1. Staff memorandum
2. ZBA minutes from November 21, 2017
3. Variance application – 640 N Shiawassee
4. Public notice – 640 N Shiawassee

COMMISSIONER/PUBLIC COMMENTS:

PUBLIC HEARINGS:

1. 640 N Shiawassee – (resolution)

BUSINESS ITEMS:

None

COMMISSIONER/PUBLIC COMMENTS:

ADJOURNMENT: Next regular meeting will be on Tuesday, March 20, 2018 if any requests are received.

Commissioners, please call Sue at 725-0544 if you will be unable to attend the meeting on Tuesday, February 20, 2018.

[The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and recordings of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following: Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500]. The City of Owosso website is: www.ci.owosso.mi.us

Affirmative Resolutions
Owosso Zoning Board of Appeals
Tuesday, February 20, 2018 9:30 a.m.
Owosso City Council Chambers, 301 W Main Street
Owosso, MI

Resolution 180220-01

Motion: _____

Support: _____

The Owosso Zoning Board of Appeals hereby approves the agenda of February 20, 2018 as presented.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Resolution 180220-02

Motion: _____

Support: _____

The Owosso Zoning Board of Appeals hereby approves the minutes of November 21, 2017 as presented.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Resolution 180220-03

Motion: _____

Support: _____

Whereas, the Owosso Zoning Board of Appeals, after reviewing the case for 640 N. Shiawassee Street, parcel # 050-250-000-003-00, hereby have determined the applicant **does/does not** meet all nine (9) facts of finding findings:

Ayes: _____

Nays: _____

Based upon those findings, the Owosso ZBA hereby **approves/denies** the petition for a dimensional variance to waive the setback requirement of 10' from the right-of-way in order to install a new sign on and existing pole and foundation based upon the following special conditions:

1. _____
2. _____
3. _____

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

Conditions attached to this approval are as follows:

Resolution 180220-04

Motion: _____

Support: _____

The Owosso Zoning Board of Appeals hereby adjourns the February 20, 2018 meeting, effective at _____ a.m.

Ayes: _____

Nays: _____

Approved: ____

Denied: ____

MINUTES
REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS
CITY OF OWOSSO
November 21, 2017 AT 9:30 A.M.
CITY COUNCIL CHAMBERS

CALL TO ORDER: The meeting was called to order by Secretary Daniel Jozwiak at 9:35 a.m.

ROLL CALL: Was taken by Tanya Buckelew.

MEMBERS PRESENT: Chairman Randy Horton (arrived at 9:40 a.m.), Secretary Daniel Jozwiak, Board Member Thomas Taylor, Kent Telesz, and Alternate John Horvath

MEMBERS ABSENT: Vice-Chairman Christopher Eveleth and Alternate Matthew Grubb.

OTHERS PRESENT: Ms. Susan Montenegro, Assistant City Manager and Trevor Langdon, Owner of 1203 W Main Street, Owosso.

AGENDA: IT WAS MOVED BY ALTERNATE HORVATH AND SUPPORTED BY BOARD MEMBER TELESZ TO APPROVE THE AGENDA FOR THE NOVEMBER 21, 2017 REGULAR MEETING AS PRESENTED.

YEAS: ALL. MOTION CARRIED.

MINUTES: IT WAS MOVED BY ALTERNATE HORVATH AND SUPPORTED BY BOARD MEMBER TELESZ TO APPROVE THE MINUTES OF JUNE 20, 2017 AS PRESENTED.

YEAS: ALL. MOTION CARRIED.

COMMUNICATIONS:

1. Staff memorandum
2. ZBA minutes from June 20, 2017
3. Class A Designation request application – 1203 W Main
4. Public notice – 1203 W Main

COMMISSIONER/PUBLIC COMMENTS: None.

PUBLIC HEARINGS:

1. 1203 W MAIN - CLASS A DESIGNATION – (RESOLUTION)

The applicant has submitted a Class A Designation request for this parcel to allow light mechanical repairs to be performed on automobiles, such as alignments, oil changes, shocks and struts. Current zoning of parcel is B-4 General Business District, which does not allow these uses.

Ms. Montenegro stated no comments, letters of concern, phone calls, or emails were received regarding the request at 1203 W Main.

Trevor Langdon, Owner of 1203 W Main explained his need for a Class A Nonconforming Use designation. He is currently approved for car sales but would like to add light auto repair for additional revenue. His future intentions are to remodel the building.

MOTION BY BOARD MEMBER TELESZ, SECONDED BY BOARD MEMBER TAYLOR, TO APPROVE THE REQUEST FOR A CLASS A NONCONFORMING USE DESIGNATION AT 1203 W MAIN TO ALLOW LIGHT AUTO REPAIR IN A B-4 GENERAL BUSINESS DISTRICT AS THE FOLLOWING FINDINGS, CONCLUSIONS, DECISION AND CONDITIONS WERE MET:

- **SECTION 38-378 B (4). THE CONTINUANCE OF THE USE WOULD NOT BE CONTRARY TO THE PUBLIC HEALTH, SAFETY OR WELFARE OR THE SPIRIT OF THIS CHAPTER.**
- **SECTION 38-378 B (5). THE USE OF STRUCTURE DOES NOT AND IS NOT LIKELY TO SIGNIFICANTLY DECREASE THE VALUE OF NEARBY PROPERTIES.**

- **SECTION 38-378 b (6). THE USE OR STRUCTURE WAS LAWFUL AT THE TIME OF ITS INCEPTION AND THAT NO USEFUL PURPOSE WOULD BE SERVED BY STRICT APPLICATION OF THE PROVISIONS OR REQUIREMENTS OF THIS CHAPTER WITH WHICH THE USE OR STRUCTURE DOES NOT CONFORM.**

ROLL CALL VOTE WAS TAKEN:

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

NAYS: NONE.

ABSENT: VICE-CHAIRMAN EVELETH, ALTERNATE GRUBB

BUSINESS ITEMS: None

COMMISSIONER/PUBLIC COMMENTS: None.

There will be a webinar on Thursday November 30, 2017, at City Hall, for Planning Commission, Council and Zoning Board of Appeals members. This webinar is presented by MSU and covers the new Medical Marihuana Facilities Licensing Act.

ADJOURNMENT:

MOTION BY BOARD MEMBER TELESZ AND SUPPORTED BY BOARD MEMBER HORTON TO ADJOURN AT 10:15 A.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING ON TUESDAY, DECEMBER 19, 2017, IF ANY REQUESTS ARE RECEIVED.

YEAS: ALL. MOTION CARRIED.

Dan Jozwiak, Secretary



ZONING BOARD OF APPEALS APPLICATION
City of Owosso
301 W. Main Street, Owosso, MI 48867
Phone: (989) 725.0544 Fax: (989) 725-0526

The Owosso Zoning Board of Appeals (ZBA) meets in a regular session when there are items on the agenda on the third Tuesday of the month at 9:30 a.m. in the city council chambers, 301 W. Main Street, Owosso, Michigan.

Materials related to requests for ZBA action, including any required fees, must be filed at the building department located on the first floor of city hall. Questions may be directed to the community development director at (989) 725-0544.

Filing requests which are not complete or which are not filed by the meeting deadline, as determined by the zoning administrator, will not be placed on the agenda of the ZBA meeting, nor will they be considered at the ZBA meeting.

Filing deadlines are established:

- To comply with various ordinance requirements;
- To permit adequate time for staff to arrange the notice for publication as may be required;
- To permit adequate time for staff to arrange the mailing of notices as may be required;
- To permit adequate time for the ZBA and staff to review the filed materials.

Filing deadlines are established at **28 calendar days** prior to the ZBA meetings:

ZBA REVIEW APPLICATION PROCESS (see Section 38-504 of the Owosso Zoning Ordinance)

1. ZBA meetings are held on the third Tuesday of the month at 9:30 a.m. in city council chambers, 301 W. Main Street, Owosso, Michigan. **It is in your best interest to be present or be represented at the zoning board of appeals meeting.**
2. Applications **must** be filed by the property owner. All other applications will be returned.
3. The deadline for filing applications is 28 days prior to the day of the meeting.
4. If the Michigan Department of Environmental Quality (MDEQ) has restricted any portion of your lot from being built upon, the MDEQ documentation must be provided along with your application.
5. This application and a site plan drawn to scale, including information as outlined below, are required. The application must be filed with the building department.
6. A fee of \$300 shall be paid upon submission of the application to the city of Owosso, located at 301 W. Main Street, Owosso, MI 48867.

The following information must be shown on all site plans presented to the ZBA where applicable:

- Description of site (plat numbers and/or legal description).
- Area of site (in square feet or acres).
- Dimensions on all property lines, setbacks and etc.
- The location of all existing structures and proposed structures on subject property.
- The location of all existing structures within 100' of subject property.

- The location of all existing and proposed drives, turning lanes, parking areas, number of parking spaces, greenbelt screening and walls.
- The location and right-of-way widths of all abutting streets and alleys.
- Loading and unloading areas.

The engineer, architect, planner and/or designer retained to develop the site plan shall be responsible for securing a copy of the Owosso Zoning Ordinance and following all requirements therein. Further, these professionals shall make themselves aware of all Owosso Master Plan requirements, for example, major thoroughfares, land use, recreations and etc.

I certify that the above required information is shown on the site plan included with this form.

Jim Fahn
Signature of property owner

Date 2-1-18



OWOSSO ZONING BOARD OF APPEALS APPLICATION

City of Owosso
301 W. Main Street, Owosso, MI 48867
Phone: (989) 725.0544 Fax: (989) 725-0526

Fee \$300

1. Project information

To the Owosso Zoning Board of Appeals;

I (we) Mark Agnew of 642 N. M-52
(applicant name) (street number)
Owosso MI 48867
(city) (state & zip code)

Applicant Phone Number: 989 723 4621 Applicant Fax Number: 989 720 4621

I (we) HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FOR A:

Variance Permit () Interpretation () or Review and Approval ()

Address/location of property: 642 N. M-52

Parcel #: _____ Zoning district: _____

2. Required attachments

- 10 copies of site plan
- 10 copies of the application (pages 2-5 only)
- Description of how the requested variance meets all of the nine (9) Facts of Findings
- Narrative demonstrating why a variance is being sought
- Required Fee

3. Description of case (fill out only the items that apply to your case)

a. Description of the property

- i. Size of lot 70 x 150
- ii. Area of lot _____
- iii. Lot is a corner or interior lot? Corner King 52

b. Description of existing structures:

- i. Number of buildings now on premises 1600sq. Building Commercial
- ii. Size of each building now on premises 32 x 60
- iii. Use of existing buildings on premises Sign Shop Retail

c. Description of proposed structures:

- i. Height of proposed structure Sign 15' tall
- ii. Dimensions of proposed building or addition Sign 53 sq'
- iii. Area of proposed building _____
- iv. Percentage of lot coverage of building or addition _____

d. Yard setbacks after completion of building or addition:

- i. Front yard (measured from lot line) Sign will remain Behind Sidewalk

- ii. Side yard (measured from lot line) _____
- iii. Rear yard (measured from lot line) _____

e. A sketch depicting the above information shall accompany this application. The sketch shall be on a sheet of paper 8 1/2" x 11" in size.

f. Section number of zoning ordinance that is being appealed: Sign Ordinance

g. Clearly state your request: I do not own Property
existing sign was permitted 18 years ago,
MDOT has widened 52 ft in last 18 years
in the last construction we lost 3 more Ft.
sign has a oversized footing for the reason of upgrade
also I have underground conduit + Fiber optic
for the LED sign + we are Reusing the existing
sign structure

4. **Duties and powers.** The Board shall have the power to authorize, upon an appeal, specific variances from such requirements as lot area and width regulations, building height regulations, yard and depth regulations, and off-street parking and loading space requirements provided it finds that ALL of the basic conditions described below, and as stated in Section 38-504(3)a.1-9 can be satisfied. The appellant shall submit, along with the established fee and other materials, a narrative demonstrating why a variance is sought.

a. **Basic conditions.** In order to qualify for a variance, the applicant must show that a variance:

- 1) Will not be contrary to the public interest or to the intent and purpose of this chapter.
- 2) Shall not permit the establishment within a district of any use which is not permitted by right within that zone district, or any use or dimensional variance for which a special land use permit is required.
- 3) Is unique and not shared with other property owners.
- 4) Will relate only to property that is under control of the applicant.
- 5) Is applicable whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
- 6) Was not created by action of the applicant (not self-created).
- 7) Will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets or increase the danger of fire or endanger the public safety.
- 8) Will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.
- 9) Is applicable whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the area, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.

b. *Special conditions:* When all of the basic conditions can be satisfied a variance may be granted when any one (1) of the following special conditions can be clearly demonstrated:

- 1) The board may specify, in writing, such conditions regarding the character, location, and other features that will, in its judgement, secure the objectives and purposes of this chapter. The breach of any such condition shall automatically invalidate the permit granted.
- 2) Each variance granted under the provisions of this chapter shall become null and void unless:
 - i. The construction authorized by such variance or permit has been commenced within six (6) months after the granting of the variance and proceeds to completion in accordance with the terms of the variance;
 - ii. The occupancy of land, premises, or buildings authorized by the variance has taken place within one (1) year after the granting of the variance.
- 3) No application for a variance which has been denied wholly or in part by the board shall be resubmitted for a period of one (1) year from the date of the last denial, except on the grounds of newly-discovered evidence or proof of changed conditions found upon inspection by the board to be valid.
- 4) In granting or denying a variance the board shall state the findings of fact upon which it justifies the action.

Signature of owner: _____

Date: _____

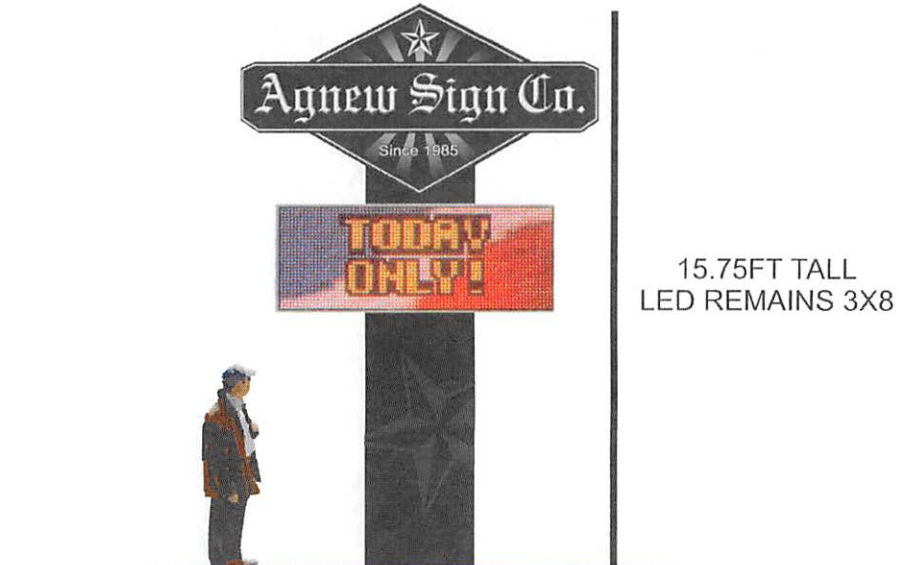
Print name: _____

CURRENT SIGN
47 SQ FT

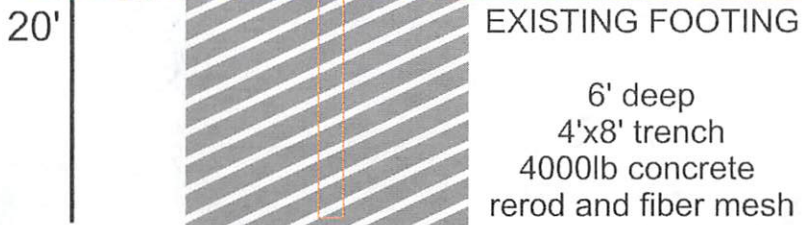


14FT TALL
LED IS 3X8

NEW SIGN
53 SQ FT



15.75FT TALL
LED REMAINS 3X8



EXISTING FOOTING

6' deep
4'x8' trench
4000lb concrete
rerod and fiber mesh

UPDATED SIGN AND LED WILL USE EXISTING
- FOUNDATION,
- POLE,
- LED CAGE,
- CIRCUITS
- FIBER OPTIC

EXISTING FOOTING HAS 2 UNDERGROUND 1" CONDUIT
FROM BUILDING FOR DEDICATED CIRCUITS
AND FOR FIBER OPTIC COMMUNICATION.

20' POLE IS DIRECT BURIAL AND HAS THE LED CAGE WELDED IN PLACE
WHICH IS TO BE REUSED FOR NEW LED THAT IS SAME SIZE

- 1) Replacing old Sign with new sign using same Frame Pole + Footing Conduit and fiber optic
- 2) N/A
- 3) This area of M-52 at King was widened more at and up to 100' each Direction ~~is~~ than the rest of M-52
- 4) this location Due to the extra widening is the only one with this encroachment to Signage that was previously within Approved ROW + Setback
- 5) Footing that is in place would cost more than \$17000 to Replace Due to Footing Size, underground Conduit + fiber Optic + Direct Burial Steel pipe
- 6) Hardship was Created by MDOT
- 7) Has not in the past, will not in the future
- 8) See Answer #17
- 9) Isolated Case

**CITY OF OWOSSO
ZONING BOARD OF APPEALS**

Applicant: James Hahn, owner (Mark Agnew of Agnew Graphics)	Appeal No: 2018-01
Address: 640 N. Shiawassee Street	Hearing Date: February 20, 2018
Property Address: 640 N. Shiawassee Street	Parcel #: 050-250-000-003-00

FINDINGS OF FACT AND CONCLUSIONS

At the regular meeting of the Zoning Board of Appeals of the City of Owosso, held at City Hall, 301 W. Main Street, Owosso, Michigan, on the 20th day of February, 2018 at 9:30 a.m.

Present: _____
Absent: _____

Upon motion of Member _____, seconded by Member _____, the following findings, conclusions, decision and conditions were adopted by the Board as its decision on the above variance:

I. Request.

The petitioner is seeking a dimensional variance to waive the setback requirement of 10' from the right-of-way in order to install a new sign on the existing pole and foundation.

Applicable section of the zoning ordinance: Section 26-19. – General standards for permitted signs.

1) *Sign setbacks.*

- a. All signs, unless otherwise provided for, shall be set back a minimum of ten (10) feet from an public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.

II. Record of Proceedings.

The attached documents were reviewed and considered by the Zoning Board of Appeals in reaching its decision, in addition to the comments made by Applicant, members of the public, and members of the Board:

III. Findings and Decision.

Based upon the documentation and other information submitted to the Board, public comment received by the Board during its meeting, visits to the site by individual Board Members, and knowledge and experience of the Board Members with land use within the City, the Board adopts the following findings and decision with respect to the request for variance:

- A. This is a request for a use variance subject to Section 38-504(3) of the Zoning Ordinance. The applicant must show that a variance meets All of the factors expressed in Section 38-504(3) a. 1-9. in order for the variance to be granted.

Factor 1: (Section 38-504(3) a.1.) "Will not be contrary to the public interest or to the intent and purpose of this chapter."

The Board finds that Section 38-504(3) a.1. _____ has been met _____ has not been met for the following reasons:

Factor 2: (Section 38-504(3) a.2.) "Shall not permit the establishment within a district of any use which is not permitted by right within that zone district, or any use or dimensional variance for which a conditional use permit or a temporary use permit is required."

The Board finds that Section 38-504(3) a.2. _____ has been met _____ has not been met for the following reasons:

Factor 3: (Section 38-504(3) a.3.) "Is one that is unique and not shared with other property owners."

The Board finds that Section 38-504(3) a.3. _____ has been met _____ has not been met for the following reasons:

Factor 4: (Section 38-504(3) a.4.) “Will relate only to property that is under control of the applicant.”

The Board finds that Section 38-504(3) a.4. _____ has been met _____ has not been met for the following reasons:

Factor 5: (Section 38-504(3) a.5.) “Is applicable whether compliance with the strict letter of the restrictions governing area, setbacks, frontage, height, bulk or density would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.”

The Board finds that Section 38-504(3) a.5. _____ has been met _____ has not been met for the following reasons:

Factor 6: Section 38-504(3) a.6.) “Was not created by action of the applicant (i.e., that it was not self-created.)

The Board finds that Section 38-504(3) a.6. _____ has been met _____ has not been met for the following reasons:

Factor 7: Section 38-504(3) a.7.) “Will not impair an adequate supply of light and air to adjacent property or unreasonably increase the congestion of public streets or increase the danger of fire or endanger the public safety.”

The Board finds that Section 38-504(3) a.7. _____ has been met _____ has not been met for the following reasons:

Factor 8: Section 38-504(3) a.8.) “Will not cause a substantial adverse effect upon property values in the immediate vicinity or in the district in which the property of the applicant is located.”

The Board finds that Section 38-504(3) a.8. _____ has been met _____ has not been met for the following reasons:

Factor 9: Section 38-504(3) a.9.) “Is applicable whether a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the area, or whether a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners.”

The Board finds that Section 38-504(3) a.9. _____ has been met _____ has not been met for the following reasons:

B. Special Conditions. When all of the foregoing basic conditions can be satisfied, a variance may be granted when any one (1) of the following special conditions can be clearly demonstrated:

1. “Where there are practical difficulties or unnecessary hardships which prevent carrying out the strict letter of this chapter. These hardships or difficulties shall not be deemed economic, but shall be evaluated in terms of the use of a particular parcel of land.”

The Board finds that Section 38-504(3) b.1. _____ has been met _____ has not been met for the following reasons:

_____.

- 2. "Where there are exceptional or extraordinary circumstances or physical conditions such as narrowness, shallowness, shape, or topography of the property involved, or to the intended use of the property, that do not generally apply to other property or uses in the same zoning district."

The Board finds that Section 38-504(3) b.2. _____ has been met _____ has not been met for the following reasons:

_____.

- 3. "Where such variation is necessary for the preservation of a substantial property right possessed by other properties in the same zoning district."

The Board finds that Section 38-504(3) b.3. _____ has been met _____ has not been met for the following reasons:

_____.

C. The request for a variance is _____ approved _____ denied for the above reasons.

IV. Conditions (if variance approved).

The following are imposed as conditions upon grant of the variance:

- A. The variance was approved based on all aspects of the plans and descriptions submitted. The structure, use or activity shall be constructed or carried on in accordance with the plans and/or description provided by the Applicant. All aspects of construction shall be in compliance with the plan submitted, regardless of whether a variance was sought or necessary for certain dimensional or other aspects of the plan, except as noted:

_____.

B. Other conditions:

_____.

Any variance granted by the Zoning Board of Appeals shall not be valid after a period of six (6) months from the date granted unless the owner shall have taken substantial steps, as determined by the Board, in implementing the variance granted by the Board." Sec. 38-504(c) 2. i. ii., Chapter 38, of the City of Owosso Zoning Ordinance.

The above findings, conclusions and decision were adopted by roll call vote as follows:

AYES: _____

NAYS: _____

I certify that the above findings, conclusions, and decision were approved by the City of Owosso Zoning Board of Appeals on _____, 20____.

Randy Horton, Chair
Zoning Board of Appeals

OFFICIAL NOTICE OF PROPOSED VARIANCE

The Zoning Board of Appeals of the City of Owosso will hold a Public Hearing in the Council Chambers of City Hall at 9:30 a.m. on Tuesday, February 20, 2018 to consider the following request:

APPLICANT: Agnew Graphics
Case # 2018-01 Parcel 050-250-000-003-00
LOCATION OF APPEAL: 640 N. Shiawassee, Owosso, MI 48867

APPEAL: The petitioner is seeking a dimensional variance to waive the setback requirement of 10' from the right-of-way in order to install a new sign on the existing pole and foundation.

THE PROPOSAL IS CONTRARY TO THE ORDINANCE AS FOLLOWS:

The minimum setback required for a sign next to the right-of-way is 10 feet unless otherwise stipulated in the ordinance.

APPLICABLE SECTION OF THE ZONING ORDINANCE: Section 26-19 – General standards for permitted signs.

1) *Sign setbacks.*

- a. All signs, unless otherwise provided for, shall be set back a minimum of ten (10) feet from any public or private street right-of-way line or access drive in all districts. This distance shall be measured from the nearest edge of the sign, measured at a vertical line perpendicular to the ground to the right-of-way.

CURRENT ZONING: B-1 Local Business District

As an affected property owner, resident, business, or taxpayer, you are encouraged to acquaint yourself with this proposal and make your position on the request known to the Zoning Board of Appeals. You may do so by being present for the public hearing, writing a letter stating your position, email me at susan.montenegro@ci.owosso.mi.us or phoning 989-725-0544. Information on this case is on file in the Zoning Office at City Hall for your review.

Susan Montenegro, Assistant City Manager/Director of Community Development

[The City of Owosso will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting/hearing upon seventy-two (72) hours notice to the City of Owosso. Individuals with disabilities requiring auxiliary aids or services should contact the City of Owosso by writing or calling the following Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. Website address is www.ci.owosso.mi.us

OWOSSO

