

CITY OF OWOSSO Zoning Board of Appeals

Tuesday, July 16, 2019 at 9:30 a.m. Council Chambers – Owosso City Hall Owosso, MI 48867

AGENDA

CALL TO ORDER

ROLL CALL

APPROVAL OF AGENDA - July 16, 2019

APPROVAL OF MINUTES - May 21, 2019

OLD BUSINESS - None

NEW BUSINESS / PUBLIC HEARINGS:

APPLICANT: MEMORIAL HEALTH CARE

LOCATION OF APPEAL: 826 W KING STREET, Owosso, MI 48867

PARCEL NUMBERS: 050-310-000-006-00, 050-310-000-007-00, 050-310-000-008-00,

050-310-000-009-00, 050-310-003-001-00, 050-310-003-002-00, 050-310-003-003-00, 050-310-001-015-00, 050-310-001-016-00, 050-310-001-017-00, 050-310-001-002-00,

050-310-001-003-00, 050-310-001-004-00

PROPERTY ZONING: R-1, ONE-FAMILY RESIDENTIAL and OS-1, OFFICE SERVICE

OTHER BOARD BUSINESS

PUBLIC COMMENTS AND COMMUNICATIONS

ADJOURNMENT

Next regular meeting will be on Tuesday, August 20, 2019, if any requests are received.

Commissioners, please call Tanya at 725-0540 if you will be unable to attend this meeting

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

MINUTES REGULAR MEETING OF THE OWOSSO ZONING BOARD OF APPEALS CITY OF OWOSSO MAY 21, 2019 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 Members Michael Bruff, Matthew Grubb and

Tom Taylor

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

Robert Teich

OTHERS PRESENT: Justin Sprague, CIB Planning, Craig Hoppen, Owner/President J&H Oil

AGENDA:

IT WAS MOVED BY BOARD MEMBER BRUFF AND SUPPORTED BY BOARD MEMBER TAYLOR TO APPROVE THE AGENDA FOR THE MAY 21, 2019 REGULAR MEETING AS PRESENTED. YEAS: ALL. MOTION CARRIED.

MINUTES:

IT WAS MOVED BY BOARD MEMBER GRUBB AND SUPPORTED BY BOARD MEMBER BRUFF TO APPROVE THE MINUTES OF OCTOBER 16, 2018 AS PRESENTED.

YEAS: ALL. MOTION CARRIED.

OLD BUSINESS: - None

NEW BUSINESS/PUBLIC HEARINGS:

APPLICANT: THE HOP FAMILY, LLC (J & H FAMILY STORES)

LOCATION OF APPEAL: 917 E MAIN ST, Owosso, MI 48867

PARCEL NUMBER: 050-112-000-034-00

PROPERTY ZONING: B-4 GENERAL BUSINESS DISTRICT

CASE #: P2019-003

THE APPLICANT IS PROPOSING TO DEMOLISH THE EXISTING C-STORE BUILDING AND OLD HOUSE TO CONSTRUCT A NEW CONVENIENCE STORE AND GAS STATION. THE APPLICANT HAS REQUESTED VARIANCES TO THE ZONING ORDINANCE.

VARIANCE REQUEST #1:

SECTION 38-397 COMMERCIAL DESIGN REQUIREMENTS PARAGRAPH (A) (3) WINDOW AREA OR SPANDREL GLASS SHALL MAKE UP AT LEAST TWENTY PERCENT (20%) OR MORE OF THE EXTERIOR WALL AREA FACING A PRINCIPAL STREET(S).

THE PROPOSED BUILDING MEETS THIS REQUIREMENT ON THE SOUTH ELEVATION FACING MAIN STREET. THE APPLICANT IS SEEKING A VARIANCE FOR THE EAST BUILDING ELEVATION FACING GOULD STREET AND PROPOSING APPROXIMATELY 9% GLASS AREA.

VARIANCE REQUEST #2:

SECTION 38-397 COMMERCIAL DESIGN REQUIREMENTS PARAGRAPH (A) (4) A PORTION OF THE ON-SITE LANDSCAPING SHALL ABUT THE WALLS SO THAT THE VEGETATION COMBINED WITH THE ARCHITECTURAL FEATURES SIGNIFICANTLY REDUCE THE VISUAL IMPACT OF THE

BUILDING MASS AS VIEWED FROM THE STREET. THE APPLICANT IS PROPOSING DECORATIVE STAMPED CONCRETE IN-LIEU OF FOUNDATION LANDSCAPING. AND REQUESTS A VARIANCE.

Craig Hoppen, Owner/President of J&H Oil Co. was present to discuss the plans for the new building. J&H bought the property about 2 years ago. The proposal is to remove the existing store and house to accommodate for a new convenience store and gas station. The Pacific Pride commercial station would remain and add a new canopy and gas pumps in the front facing Main Street.

Richard Burlingame, Attorney, 831 E. Main Street, asked about the commercial pumps and viewed the site plan.

Louise Hubbard, 919 E Exchange Street, had called the building department asking about her view and she was told that she was welcome to stop in and view the pictures, etc. She also expressed concern over the mailboxes and would they be moved. This information was relayed to Mr. Hoppen, who would let his contractor be aware of the potential of needing to move the boxes.

VARIANCE REQUEST #2: (out of order so the owner had time to contact the architect)

SECTION 38-397 COMMERCIAL DESIGN REQUIREMENTS PARAGRAPH (A) (4) A PORTION OF THE ON-SITE LANDSCAPING SHALL ABUT THE WALLS SO THAT THE VEGETATION COMBINED WITH THE ARCHITECTURAL FEATURES SIGNIFICANTLY REDUCE THE VISUAL IMPACT OF THE BUILDING MASS AS VIEWED FROM THE STREET. THE APPLICANT IS PROPOSING DECORATIVE STAMPED CONCRETE IN-LIEU OF FOUNDATION LANDSCAPING, AND REQUESTS A VARIANCE.

FINDINGS OF FACT AND CONCLUSIONS

Upon motion of Board Member Grubb, seconded by Board Member Bruff, the following findings, conclusions, decisions, and conditions were adopted by the Board as its decision on the above variance. The applicant **does** meet the applicable nine (9) facts of findings:

a. Basic Conditions 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 intent of this chapter is to ensure the use of high-quality materials, provide an open and inviting look for customers. Utilizing decorative concrete will not be contrary to the intent of the ordinance.

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 use is a principal use permitted in the district subject to special conditions.

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

This condition is applied across the community and is not unique to this property.

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

The variance will only relate to the property under the control of the applicant.

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 strict letter of the law will not prevent the owner of the property from reasonably using the property, and it would not be unnecessarily burdensome to comply.

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 need for the variance is self-created. The applicant states that the landscaping next to the building will be difficult to maintain, especially during winter months when salt is applied to the sidewalk next to the building.

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 variance would not impair the supply of light or air to adjacent properties, create unreasonable congestion, increase fire danger or endanger the public.

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 variance would not impact property values in the immediate vicinity.

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."

Applying a lesser variance would possibly provide justice to the property owner; however other properties in the area appear to not have landscaping abutting their walls either.

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:

 "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."

There appear to be no practical difficulties or undue hardships preventing the strict letter of this chapter.

"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."

There appear to be no exceptional or extraordinary circumstances or physical conditions with this property that do not generally apply to other properties in the same district.

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

A variation would be necessary for the preservation of a substantial property right possessed by others in the same district.

The request for a variance is approved to allow the use of decorative stamped and colored concrete in place of abutting landscaping for the following reasons:

- 1. The variance would not be contrary to the intent of the ordinance;
- 2. The variance would provide justice shared by other properties in the area;
- 3. A variation is necessary for the preservation of a substantial property right possessed by others in the same district.

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.

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 a 3 to 1 roll call vote as follows:

AYES: BOARD MEMBERS BRUFF, GRUBB AND CHAIRMAN HORTON

NAYS: BOARD MEMBER TAYLOR

VARIANCE REQUEST #1:

SECTION 38-397 COMMERCIAL DESIGN REQUIREMENTS PARAGRAPH (A) (3) WINDOW AREA OR SPANDREL GLASS SHALL MAKE UP AT LEAST TWENTY PERCENT (20%) OR MORE OF THE EXTERIOR WALL AREA FACING A PRINCIPAL STREET(S).

THE PROPOSED BUILDING MEETS THIS REQUIREMENT ON THE SOUTH ELEVATION FACING MAIN STREET. THE APPLICANT IS SEEKING A VARIANCE FOR THE EAST BUILDING ELEVATION FACING GOULD STREET AND PROPOSING APPROXIMATELY 9% GLASS AREA.

FINDINGS OF FACT AND CONCLUSIONS

Upon motion of Board Member Taylor, seconded by Board Member Bruff, the following findings, conclusions, decisions, and conditions were adopted by the Board as its decision on the above variance. The applicant <u>does not</u> meet the applicable nine (9) facts of findings:

a. Basic Conditions 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 intent of this chapter is to ensure the use of high-quality materials, provide an open and inviting look for customers and to improve overall safety by having more transparency into the store along with more eyes on the street. While the reduction is only 11%, we feel that the building is small enough that this would be a significant change from the ordinance.

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 use is a principal use permitted in the district subject to special conditions.

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

This condition is applied across the community and is not unique to this property.

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

The variance will only relate to the property under the control of the applicant.

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 strict letter of the law will not prevent the owner of the property from reasonably using the property, and it would not be unnecessarily burdensome to comply.

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 need for the variance is not self-created. If the applicant property were not situated on a corner lot, the applicant lot, the applicant would comply with the ordinance.

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 variance would not impair the supply of light or air to adjacent properties, create unreasonable congestion, increase fire danger or endanger the public.

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 variance would not impact property values in the immediate vicinity.

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."

Applying a lesser variance would possibly provide justice to the property owner; however other properties in the area seem to have met the glass requirement while also situated on a corner lot.

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 only potential practical difficulty is the fact that this lot is a corner lot requiring two front façades to be applied. As noted above, other similarly situated properties on corner lots seem to meet the 20% glass requirement

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."

There appear to be no exceptional or extraordinary circumstances or physical conditions with this property that do not generally apply to other properties in the same district.

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

A variation would be necessary for the preservation of a substantial property right possessed by others in the same district.

The variance is denied to allow for a reduction of required glass façade from 20% to 9%, for the following reasons:

- 1. A reduction would be contrary to the intent of the ordinance;
- 2. The condition is not unique to the property;
- 3. The strict letter of the law will not prevent the owner of the property from reasonably using the property, and it would not be unnecessarily burdensome to comply;
- 4. The variance would not provide justice shared by other properties in the area;
- 5. There appear to be no exceptional or extraordinary circumstances or physical conditions with this property that do not generally apply to other properties in the same district; and
- 6. A variation is not necessary for the preservation of a substantial property right possessed by others in the same district.

The motion failed by a 3 to 1 roll call vote as follows:

AYES: BOARD MEMBER TAYLOR

NAYS: BOARD MEMBERS BRUFF, GRUBB AND CHAIRMAN HORTON

Upon motion of Board Member Bruff, seconded by Board Member Grubb, to table Variance Request #1 until the June meeting if necessary. If J & H Family Store is able to meet the 20% requirement by installing spandrel or opaque windows on the warehouse, this variance request would not be required.

The motion passed by a 3 to 1 roll call vote as follows:

AYES: BOARD MEMBERS BRUFF, GRUBB AND CHAIRMAN HORTON

NAYS: BOARD MEMBER TAYLOR

OTHER BOARD BUSINESS: None

PUBLIC COMMENTS AND COMMUNICATIONS: None

ADJOURNMENT:

MOTION BY BOARD MEMBER BRUFF AND SUPPORTED BY BOARD MEMBER TAYLOR TO ADJOURN AT 10:40 A.M. UNTIL THE NEXT REGULARLY SCHEDULED MEETING ON TUESDAY, JUNE 18, 2019, IF ANY REQUESTS ARE RECEIVED.

YEAS: ALL. MOTION CARRIED.

Matthew Grubb, Secretary



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**, **July 16**, **2019** to consider the following request:

APPLICANT: MEMORIAL HEALTH CARE

LOCATION OF APPEAL: 826 W KING STREET, Owosso, MI 48867

PARCEL NUMBERS: 050-310-000-006-00, 050-310-000-007-00, 050-310-000-008-00,

050-310-000-009-00, 050-310-003-001-00, 050-310-003-002-00, 050-310-003-003-00, 050-310-001-015-00, 050-310-001-016-00, 050-310-001-017-00, 050-310-001-001-00, 050-310-001-002-00,

050-310-001-003-00, 050-310-001-004-00

PROPERTY ZONING: R-1, ONE-FAMILY RESIDENTIAL and OS-1, OFFICE SERVICE

CASE #: P2019-124

The applicant is seeking variances to allow the addition of a Neuro/Ortho/Wellness Center:

VARIANCE REQUEST #1:

The building height of 43'4" exceeds the maximum height of 35 feet, permitted by Section 38-351, Schedule Limiting Height, Bulk, Density, and Area by Zoning District

VARIANCE REQUEST #2:

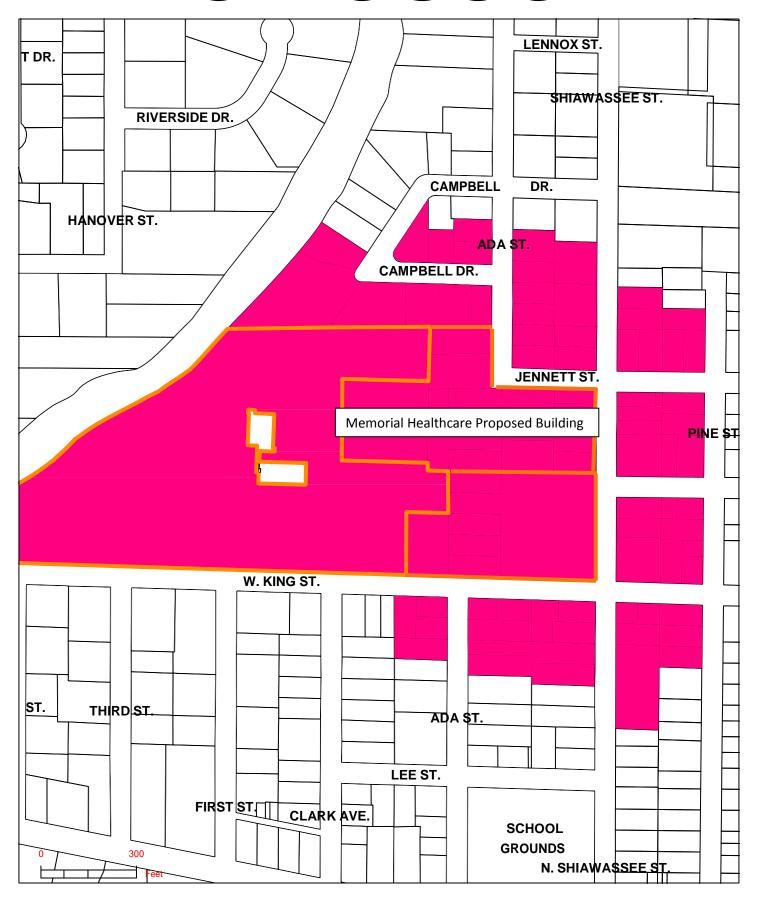
A variance to permit a parking lot setback of 25 feet where Section 38(43)(9)(d) Off-Street Parking requires off-street parking lots to be set back 50 feet from local streets.

The City of Owosso Municipal Code requires approval of dimensional variances from the Zoning Board of Appeals.

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 tanya.buckelew@ci.owosso.mi.us or phoning 989-725-0540. Information on this case is on file in the Zoning Office at City Hall for your review.

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 Amy Kirkland, City Clerk, 301 W. Main St, Owosso, MI 48867 (989) 725-0500. Website address is www.ci.owosso.mi.us

OWOSSO



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.

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

Signature of property owner

Date

2019 Meeting Dates Submittal Deadlines

January 15	December 11
February 19	January 15
March 19	February 19
April 16	March 12
May 21	April 16
June 18	May 14
July 16	June 11
August 20	July 16
September 17	August 13
October 15	September 10
November 19	October 15
December 17	November 12



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 \$400 (Commercial) or \$175 (Residential)

PROJECT INFORMATION TO THE OWOSSO ZONING BOARD OF APPEALS; I (WE)
Applicant Name: Memorial Healthcare (Attn: Brian Long, President, CEO)
Address: 826 W. King St.
City, State, Zip: Owosso, MI 48867
Phone Number: 989-729-4802
E-Mail: pclarizio@memorialhealthcare.org
HEREBY APPEAL TO THE ZONING BOARD OF APPEALS FOR A:
Variance (X) Permit () Interpretation () or Review and Approval ()
Address/Location of Property: 826 W. King St. Owosso, MI 48867
Parcel #: L155 P452 (TC) and L162 P21 (TC)
Zoning District: R-1 (residential); OS-1 Office
2. REQUIRED ATTACHMENTS:
o 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:
o Size of lot: 24.29 Acres
o Area of lot: 1,058,071 SF
Lot is a corner or interior lot? Corner
b. Description of existing structures:
Number of buildings now on premises: 5

- Size of each building now on premises: See separate sheet Attachment 1
 Use of existing buildings on premises: See separate sheet Attachment 1
 Description of proposed structures:

 Height of proposed structures: 43'-4" (top of roof at partial 3rd floor); 30'-8" (2nd floor top of parapet)
 Dimensions of proposed building or addition: 246'-8" x 246'-8"
 Area of proposed building: 101,320 SF
 Percentage of lot coverage of building or addition: 4.0%
 Yard setbacks after completion of building or addition:
 Front yard (measured from lot line): 50'
 Side yard (measured from lot line): 25'
 Rear yard (measured from lot line): NA

 A sketch depicting the above information shall accompany this application. The sketch shall be on a sheet of paper 8 ½" X 11" in size.
 Section number of Zoning Ordinance that is being appealed: 38-351; 38-53(9)(d)
- 1. Variance for Building Height (38-351): The maximum building height in the OS-1 District is 35 feet. The new building has a partial 3rd story with a roof height of 43'-4", and the 2nd floor roof height is at 30'-8". The third floor is set back from the front of the building and has a height similar to the adjacent Medical Arts Building. Per the planning consultant the building height is appropriate given the scale of the hospital complex.
- 2. Variance for parking lot setback (along Ada Street) (38-53(9)(d)): the ordinance states that "Offstreet parking lots shall be set back fifty (50) feet from a local street". The parking expansion along Ada provides a 25' setback.

g. Clearly state your request:

4. DU	ITIES AND POWERS
	shall have the power to authorize, upon an appeal, specific variances from such requirements
	and width regulations, building height regulations, yard and depth regulations, and off-street
	d loading space requirements provided it finds that ALL of the basic conditions described
	as stated in Section 38-504(3)a.1-9 can be satisfied. The appellant shall submit, along with
	shed fee and other materials, a narrative demonstrating why a variance is sought.
	isic conditions. In order to qualify for a variance, the applicant must show that a riance:
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.
	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
h Cn	more consistent with justice to other property owners. ecial conditions: When all of the basic conditions can be satisfied a variance may be
	ectal conditions: When all of the basic conditions can be satisfied a variance may be anted when any one (1) of the following special conditions can be clearly demonstrated:
	The board may specify, in writing, such conditions regarding the character, location, and
	other features that will, in its judgment, secure the objectives and purposes of this chapter.
	The breach of any such condition shall automatically invalidate the permit granted.
2.	
******	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 er denying a variance the board shall state the findings of fact upon which it
	justifies the action.
_	-1 4/1/1
Signature	prowner: Date: C/h //9

ela edmund london & associates, inc. architects & planners

June 11, 2019

Zoning Board of Appeals City of Owosso 301 W. Main St. Owosso, Michigan 48867

Re:

Memorial Healthcare Neuro/Ortho/Wellness Center

ZBA Application Attachment 1

Description of Existing Structures:

Building 1 - Main Hospital: 5 stories, 246,386 SF

Building 2 - Mitchell Medical Office Building: 3 stories, 30,225 SF

Building 3 - Medical Art Building: 2 stories, 37,211 SF

Builidng 4 - King Street Medial Office Building: 3 stories, 34,905 SF

Building 5 - Mitchell Auditorium: 2 stories, 16,710 SF

June 11, 2019

Zoning Board of Appeals City of Owosso 301 W. Main St. Owosso, Michigan 48867

Re:

Memorial Healthcare Neuro/Ortho/Wellness Center

ZBA Application Attachment

Narrative:

We are requesting a variance for both the height of the building and the parking lot set back on Ada Street.

The proposed N.O.W Center will serve the community by creating an uplifting and integrated health care experience. The 113,000 gross square foot 3 story facility will be located at the northeast corner of the existing Memorial Healthcare campus at M-52 and West King Street in Owosso. Contained within the building will be a Neurology Center, Wellness Center, Orthopedic Center, Rehabilitation Center, MRI Suite, Community Education, Childcare, Cafe and associated common areas. The program spaces will be connected by a two story light filled atrium containing wood and natural stone materials as well as specialty lighting. The new facility will provide state of the art services to the whole community.

As noted by the Planning Consultant (CIB Planning), the building height is appropriate given the scale of the hospital complex. Existing building on the site are 2, 3 and 5 stories. The new facility will compliment the existing structures in height while providing a unique design. The new building has a partial 3rd story with a roof height of 43'-4", and the 2nd floor roof height is at 30'-8". The third floor is set back from the front of the building and has a height similar to the adjacent Medical Arts Building.

The parking lot set back is needed to increase parking on the site. The space between ADA street and the parking lot will be constructed with a landscape buffer to obscure the view of the parking lot.

Facts of Findings:

 Will not be contrary to the public interest or to the intent and purpose of this chapter.

The new facility will enhance the community by providing state of the art medical, rehabilitation and wellness services to the community

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.

The Center property is currently undeveloped and located on M-52 on the north side of the main entrance to the hospital campus. The property with the hospital complex is zoned R-1, Residential, where hospitals are special land uses with conditions, and OS-1, Office where medical professional offices and facilities for human care are permitted uses.

- 3. Is unique and not shared with other property owners.

 The variance request for both building height and parking lot set back applies only to the Memorial Healthcare property and to this project in particular.
- 4. Will relate only to property that is under control of the applicant.

 The variance request for both building height and parking lot set back applies only to the Memorial Healthcare property and to this project in particular.
- 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.
 It would restrict the overall program requirements for the project.
- 6. Was not created by action of the applicant (not self-created).

 Memorial Healthcare has not created this situation by its actions.
- 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 main entrances to the Memorial Healthcare campus will be from M-52 and King Street, as they are now. The new building will be a pleasing addition to the campus and will not impair the adjacent property owners in any way.
- 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.

 We do not foresee a substantial adverse effect on property values in the neighborhood or district.
- 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. This will benefit both the property Owner and adjacent properties.





Memorial Healthcare Neuro / Ortho / Wellness Center

Owosso, Michigan



Memorial Healthcare

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existing site plan

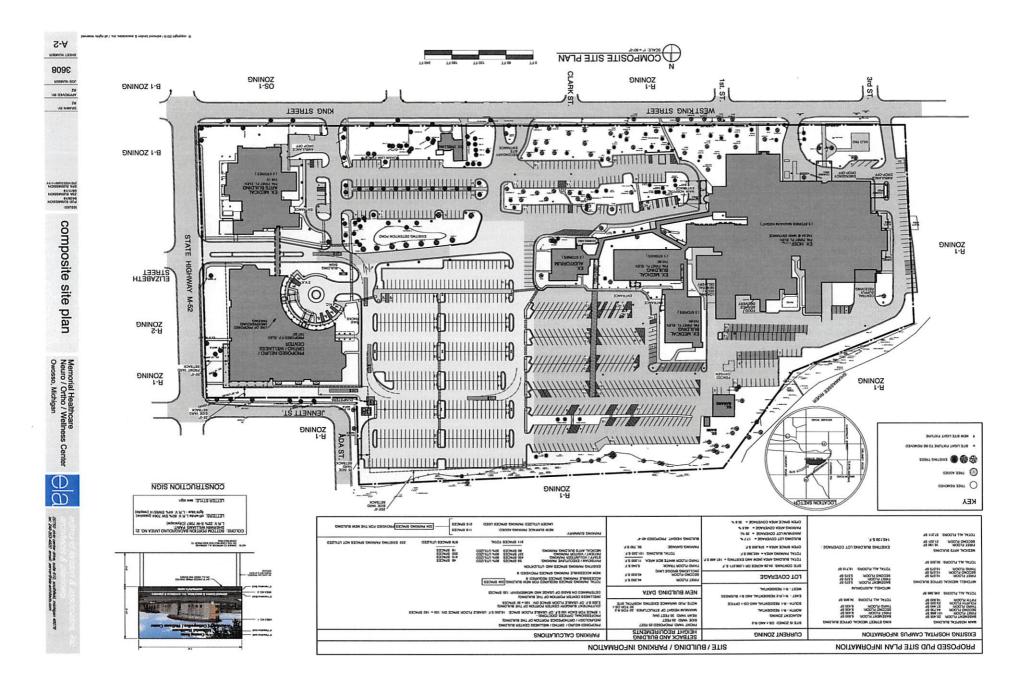
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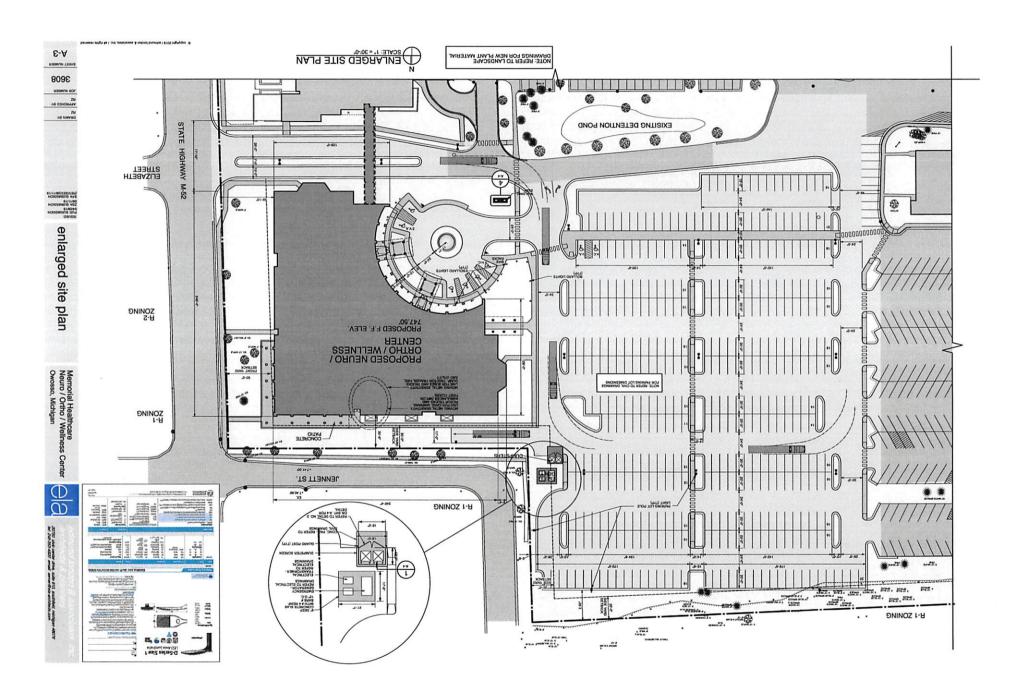
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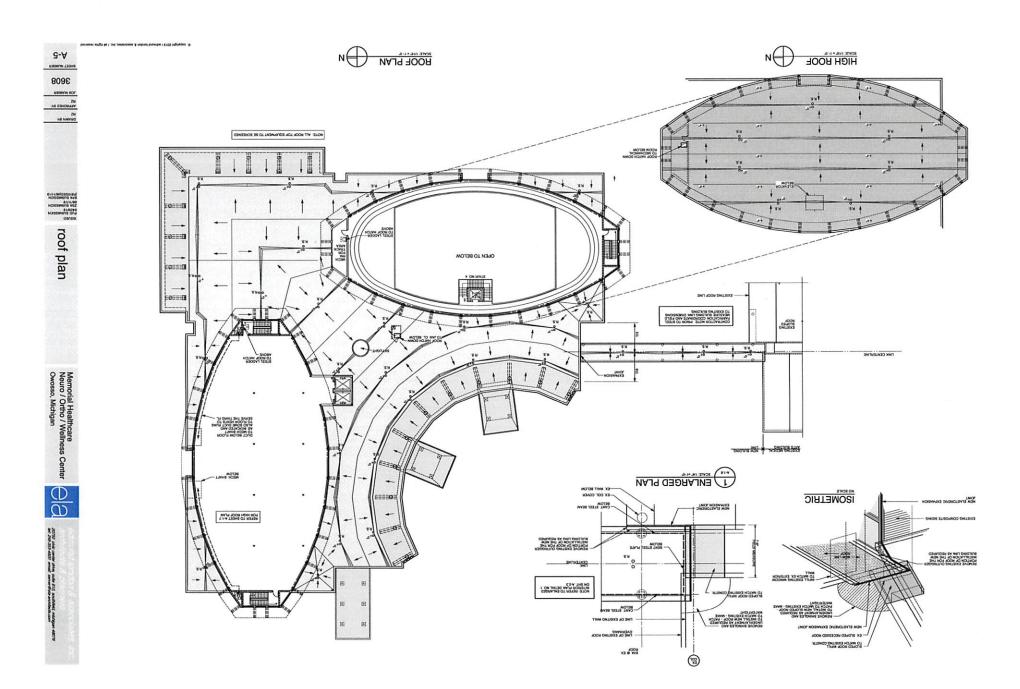


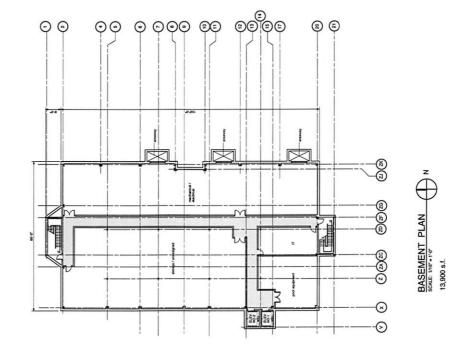
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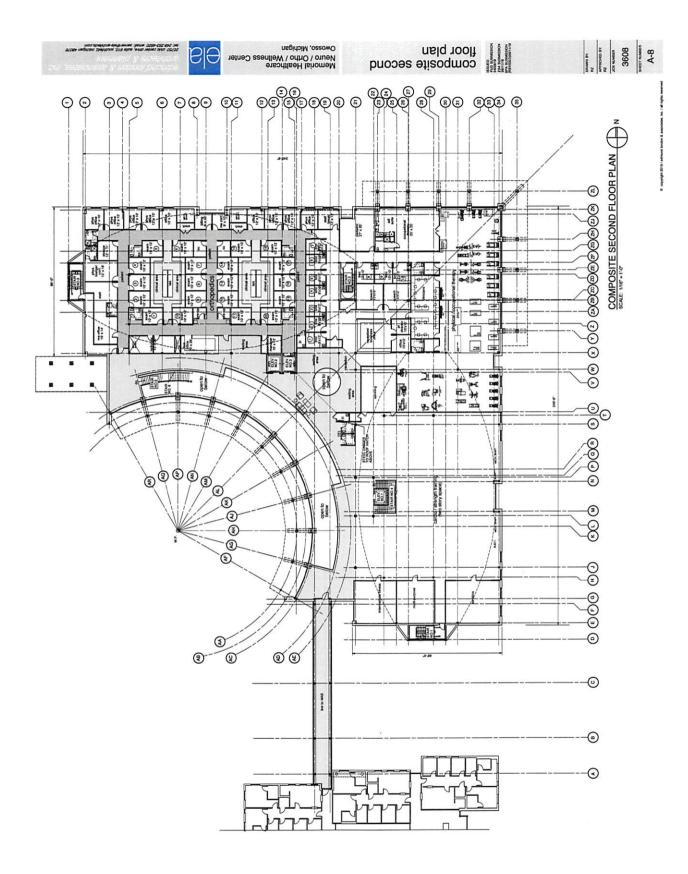
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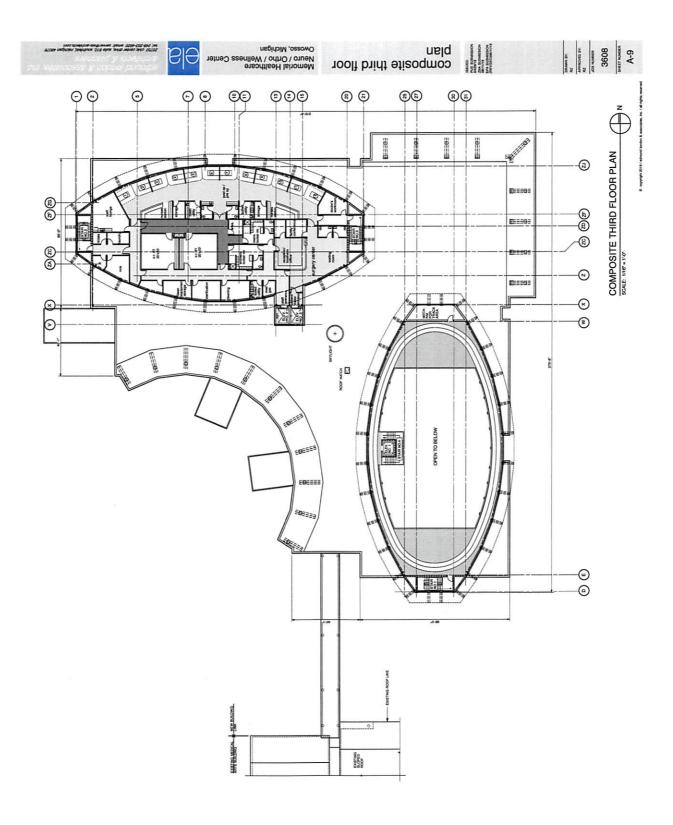


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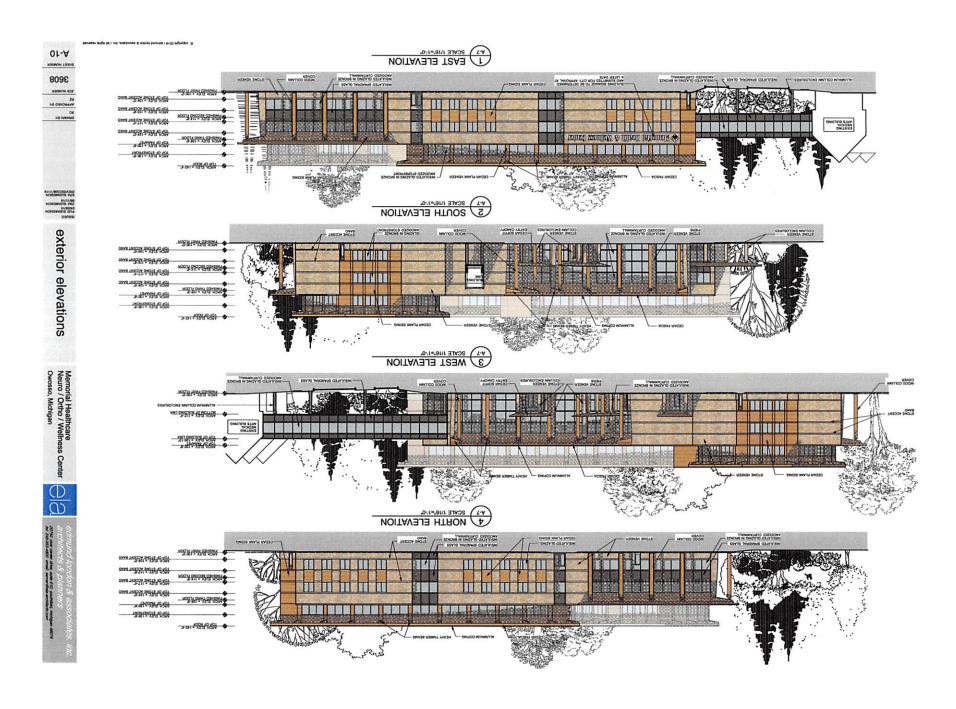
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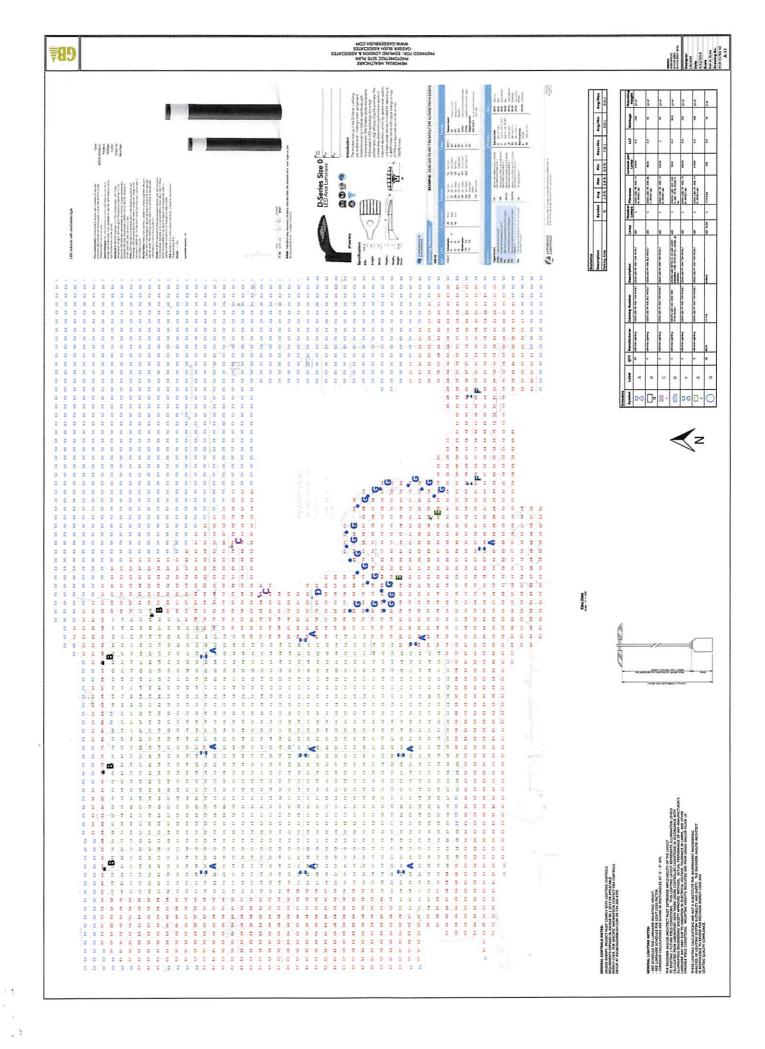


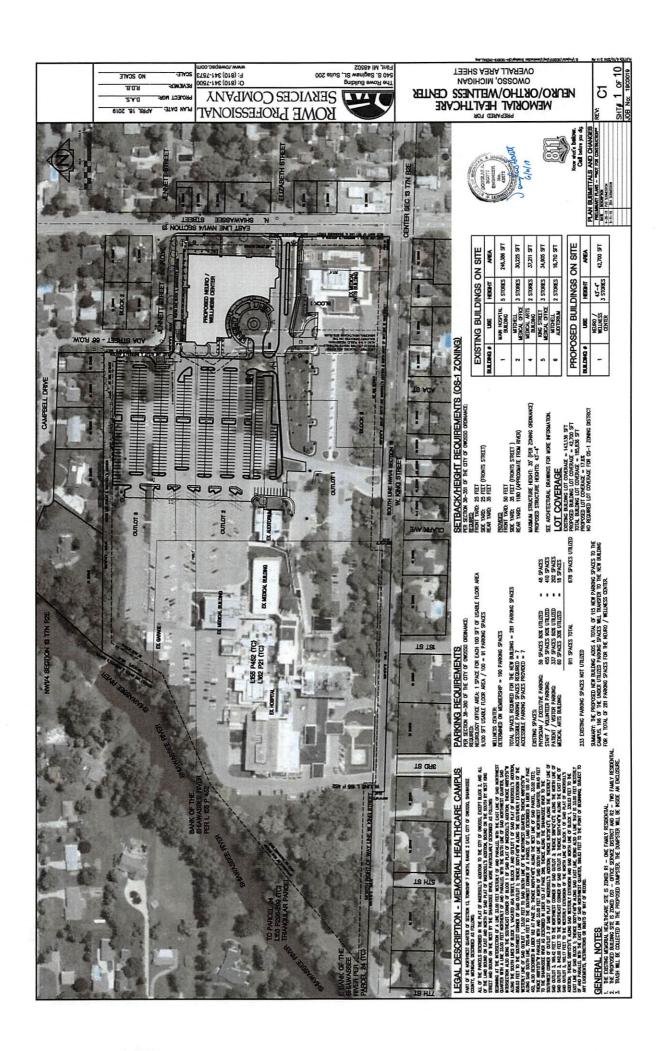
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