



Andy Schor
Mayor

**LANSING BOARD OF ZONING APPEALS
SPECIAL MEETING
DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
WEDNESDAY, November 17, 2021, 6:30 PM
600 W. Maple (Neighborhood Empowerment Center)**

Due to public safety concerns resulting from the COVID-19 pandemic, this meeting will be accessible to the *public* via Microsoft Teams by clicking on this [hyperlink](#) or via Zoom Conferencing by clicking on the following link: <https://us02web.zoom.us/j/86867723941>

AGENDA

- I. **ROLL CALL**
- II. **APPROVAL OF AGENDA**
- III. **PUBLIC COMMENT**
- IV. **PUBLIC HEARING/ACTION**
 - A. BZA-4074.21, 3101 Technology Blvd.- Variance to the setback requirement for a ground sign
- V. **OLD BUSINESS**
- VII. **NEW BUSINESS**
- VI. **APPROVAL OF MINUTES**
 - A. Regular Meeting, October 14, 2021
- VIII. **PUBLIC COMMENT**
- IX. **ADJOURNMENT**

FOR SPECIAL ACCOMMODATIONS, PLEASE GIVE 24 HOURS NOTICE PRIOR TO THE MEETING BY CALLING SUSAN STACHOWIAK IN THE PLANNING OFFICE AT 517-483-4085 OR BY DIALING (TTY 711).

GENERAL INFORMATION

APPLICANT/OWNER: McLaren Greater Lansing
401 W. Greenlawn Avenue
Lansing, MI 48910

REQUESTED ACTION: Variance to the setback requirement for a ground sign

EXISTING LAND USE: Hospital under construction

EXISTING ZONING: "INST-1" Suburban Institution

PROPOSED ZONING: No change

PROPERTY SIZE & SHAPE: Irregular Shape - 42.97 Acres

SURROUNDING LAND USE: N: University Club/Single Family Residence
S: Offices
E: Offices/Vacant
W: Freeway/Single & Multi-Family Residential

SURROUNDING ZONING: N: "INST-1" Suburban Institution
S: "INST-1" Suburban Institution
E: "INST-1" Suburban Institution
W: "MFR" Multiple Family Residential

MASTER PLAN DESIGNATION: The Design Lansing Comprehensive Plan designates the subject properties for "Research & Development" uses. Forest Road and Collins Road are both designated as collector roads.

REQUEST

This is a request by McLaren Greater Lansing to permit a 14-foot high, 131.37 square foot ground sign at 3101 Technology Blvd., (site of the future McLaren Hospital facilities) that would have a setback of 7 feet from the property line along Forest Road. Section 1442.12(h)(3)(A)(3) of the City of Lansing Sign Ordinance requires a setback of 26 feet for a ground sign of these dimensions. A variance of 19 feet to the required setback is therefore, being requested.

Required	Proposed	Variance
26-foot setback	7-foot setback	19 feet

ANALYSIS

Sections 1274.06 (c)(1-4) and (e)(1-4) of the Zoning Code set forth the criteria and standards which must be used to evaluate a variance request:

- Does a Practical Difficulty or Unnecessary Hardship exist?
- Is the Location, Size and Character in harmony with surrounding uses?
- Will the request Impact on Vehicular and Pedestrian Traffic?
- Will a precedent regarding future land use patterns be set as a result of the request?

The new McLaren hospital is well under construction at the southwest corner of Forest and Collins Roads. Permits have been issued for all of the signs, except the one that is the subject of this request. The hospital will be installing signs at each of the entrances to the property directing traffic to the various facilities such as the emergency room, the outpatient care center, the parking deck, etc. The new hospital includes several buildings, uses within the various buildings and designated parking lots in a campus-like setting. Unlike most signs that are just intended to advertise a particular business, the hospital signs are important so that visitors are directed to the appropriate location within the site. Visitors to hospitals depend on signage at the entrances and it is essential that it is in a very visible location for motorists.

The proposed sign that is the subject of this variance request will be located at the Forest Road entrance to the site (see attached site plan). The access to Forest Road where the sign will be located is a private driveway and the sign will be located in the boulevard at the entrance. The required setbacks for ground signs are based on the size and height of the sign. The proposed sign will be 14-foot high and 131.37 square feet in area which requires a 26-foot setback from the property line along Forest Road. Since the proposed setback is 7-feet, a variance of 19 feet is required.

The reason for the reduced setback is that if the sign were to be moved any further back from the property line along Forest Road, it would be located directly above underground electrical units which would not be permitted by the Lansing Board of Water & Light. If the sign were to be moved back far enough that it would be beyond the underground electrical corridor, it would not be easily visible from the street and would not serve its intended and very important purpose which is to direct motorists to the various facilities within the site.

The underground electric service presents a true practical difficulty for the applicant in complying with the setback requirement for the proposed sign. The electrical service cannot be relocated and a sign cannot be placed within the area of the site that it consumes. Since this practical difficulty is unique to the area of the site where it is essential for a sign to be located, the relief to the setback requirement as requested by the applicant is warranted.

Impact Criteria

The Ordinance also establishes four standards under Section 1274.06(e) that must be satisfied relating to the impact of the variance on the surrounding properties and general public. These standards and the manner in which they relate to the request are as follows:

1. **The use will be in harmony with the appropriate and orderly development of the surrounding neighborhood.**

Not applicable.

2. **The use will be of a nature that will make vehicular and pedestrian traffic no more hazardous than is normal for the district involved.**

The purpose of the proposed sign is to direct motorists entering the site to their intended destination which will have a positive impact on traffic in the area. In addition, the sign will be located far enough back on the site that it will in no way impede visibility for motorists exiting the site at the driveway where it intersects with Forest Road.

3. **The use will be designed to eliminate a possible nuisance emanating therefrom.**

The variance will not generate any nuisances for the area in which it is located. The dimensions of the proposed sign and the proposed location are appropriate and necessary to convey the directional information that the sign will provide.

4. **The use will not interfere with or discourage the appropriate development and use of adjacent land and structures or unreasonably affect their value.**

Not applicable.

FINDINGS

This is a request by McLaren Greater Lansing to permit a 14-foot high, 131.37 square foot ground sign at 3101 Technology Blvd., (site of the future McLaren Hospital facilities) that would have a setback of 7 feet from the property line along Forest Road. Section 1442.12(h)(3)(A)(3) of the City of Lansing Sign Ordinance requires a setback of 26 feet for a ground sign of these dimensions. A variance of 19 feet to the required setback is therefore, being requested.

The information supports a finding that the requested variance is consistent with the variance evaluation criteria set forth in Sections 1274.06 (c) & (e) of the Zoning Ordinance.

RECOMMENDATION

Based on the information and findings described above, the following motion is offered for the Board's consideration:

"I make a motion to approve BZA 4074.21 for a variance of 19 feet to the required 26 foot setback for a 14-foot high, 131.37 square foot ground sign at the intersection of Forest Road and the driveway to the property at 3101 Technology Boulevard, on a finding that the request complies with the variance evaluation criteria listed in Sections 1274.06 (c) & (e) of the Ordinance."

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



- 102" x 144" x 24" overall size
- 160" grade to top of eye
- 102" x 129" x 20" fabricated aluminum main cabinet w/ radius top
 - Framed aluminum construction w/ retro hinges extrusions
 - Hinged blend materials
 - V8" routed aluminum (Orangeable panel, steel mounted)
- backed w/ V8" White trans acrylic
- Cabinet: painted PMS 301 Blue and MA* H477 Natural White
- Logo is routed and backed w/ V8" White trans acrylic w/ surface applied, digitally printed trans vinyl
- 12" x 14" x 5" location base across face of cabinet
 - Fabricated aluminum w/ routed copy backed w/ V8" White trans
 - Painted PMS 301 Blue
 - Band removes w/ face retainer
 - 15" x 14" x 1/8" White trans polycarbonate EMERGENCY panel
 - Surface applied: Oracal 336 Red trans - reverse out
- 10" x 30" x 102" half round aluminum cap on top of main cabinet
 - V8" horizontal reveal for face clearance
 - Painted off white 180
- 125" x 144" x 14" U" structure to cradle main cabinets
 - Fabricated aluminum
 - Painted PMS 425 Grey
- 20" x 20" routed entrance designation is backed w/ V8" White trans acrylic and surface applied, digitally printed graphics
- Internal illumination by (2) 30" vers PS White LED line arrays
- 4" horizontal reveal
- 36" x 144" x 20" fabricated aluminum base
 - Base is painted: MAP Black
- Dual internal 8" (16,625%) Scheel 40 steel posts - extended 72" for direct burial in 24" concrete footers
- Main cabinet illumination by (3) 18" vers PS White LED line arrays and internal power supplies
- All electrical service to be 120V
- Estimated service load is 1,400 @ 120V

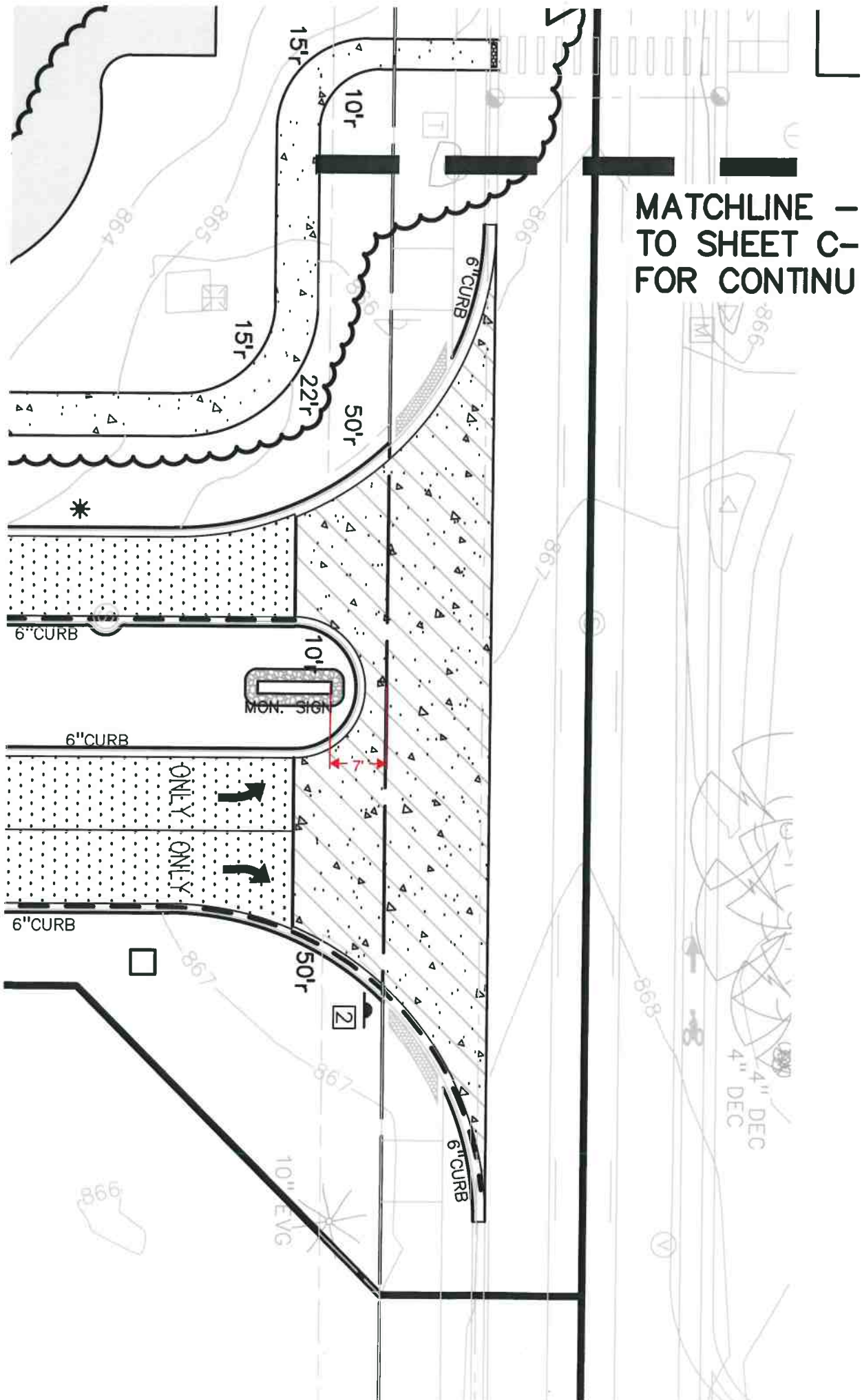
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SIDE 1

☒ 120v
☐ 277v
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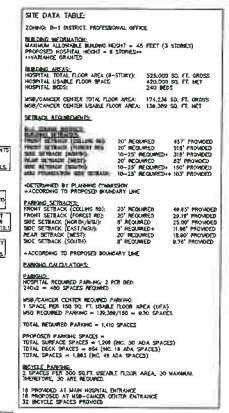
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CATION
 1. A person who is a member of a religious community, especially a monk or nun.
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 10. A person who is a member of a religious community, especially a monk or nun.

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CHRISTMAS

OVERALL SITE PLAN
FOR THE
CITY OF LANSING
GREATERTER LANSING
CITY OF LANSING, MICHIGAN COUNTY, MICHIGAN

DATE	PG	DWG	LO	SJR	CS	P.M.	REV
DIFFERENCE BETWEEN DATE SUBMITTED & DATE PEA AND/OR DESIGNER							

SCALE: 1"=100'

C-1.0

**MINUTES OF REGULAR MEETING
BOARD OF ZONING APPEALS
THURSDAY, October 14, 2021, 6:30 P.M.
600 W. Maple Street, Lansing, MI 48915**

The meeting was also accessible to members of the public via online teleconference in compliance with the Open Meetings Act, as amended.

I. ROLL CALL

The meeting was called to order by Marcie Alling at 6:30 p.m. Roll call was taken.

Present: M. Alling, K. Berryman, C. Iannuzzi, M. Rice & B. Fryling

Absent: M. Solak, J. Leaming, E. Jefferson & J. Hovey

Staff: S. Stachowiak & A. Fedewa

A quorum of at five members was present, allowing voting action to be taken at the meeting.

II APPROVAL OF AGENDA

It was moved by Mr. Rice, seconded by Mr. Fryling to approve the agenda with the addition of "Excused Absences" under New Business. On a voice vote, the motion carried 5-0.

III. PUBLIC COMMENT

IV. PUBLIC HEARING/ACTION

A. BZA-4073.21, 736 N. Larch Street - Variance to the clear vision requirements for a fence

Ms. Stachowiak stated that this is a request by John Berry to permit a 6-foot-high chain-link fence with screening slats around the perimeter of the property at 736 N. Larch Street. Sections 1250.03.03 (a) & (b) of the City of Lansing Zoning Ordinance prohibit fences above a height of 3 feet that materially obstruct vision within a 25-foot corner clearance area at a street intersection and within a 10-foot corner clearance area at the intersection of driveways and property lines. The applicant is requesting a variance to allow the newly erected 6-foot-high screen fence that projects into the clear visions areas to remain on the property at 736 N. Larch Street. Ms. Stachowiak stated that the staff recommendation is to deny the variance on a finding that the request does not comply with the variance evaluation criteria described in Sections 1274.06 (c) & (e) of the Zoning Ordinance. She said that there is nothing unique about the subject property that would warrant approval of the requested variance. She also said that this is a safety issue because the slats in the fence impede visibility for motorists in the area, particularly at the N. Larch/May Street intersection.

Ms. Stachowiak stated that In February 2021, the applicant applied for and was denied a variance to allow barbed wire on the fence at 736 N. Larch. She said that it was made clear at the meeting that a 6-foot-high chain-link fence around the perimeter of the property would be permitted. Ms. Stachowiak stated that the new zoning ordinance

that went into effect on May 1, 2021, does not allow chain-link fences in front yards, even on industrially zoned parcels of land. The applicant's chain-link fence, however, is considered legally nonconforming (grandfathered-in) under the previous ordinance. She said that the slats that were installed on the fence, however, are not grandfathered-in as they would not have been permitted under the previous ordinance. She also said that there was no mention of installing the slats at the February meeting and the applicant did not inquire with the City as to whether the slats would be permitted before installing them on the fence.

Ms. Alling opened the public hearing.

Jake Berry, Denver, Colorado, addressed the Board remotely via Zoom Conferencing. Mr. Berry said that the fence was finally installed after multiple delays involving Covid and a shortage of fence materials/supplies. He said that the intent was always to add shading material to the fence to dissuade break-ins/muggings and other issues that have been experienced in the area. Mr. Berry said that recently spoke with an employee of the Department of Economic Development & Planning and was told that he could not have the shading because the ordinance prohibiting it has recently changed.

Ms. Stachowiak responded that the ordinance did not change with regard to obstructions within the corner clearance areas. She said that the only change was prohibiting chain-link fences in front yards but that is not at issue in this case since the City is permitting the 6-foot-high chain-link fence around the perimeter of the site as agreed to the February meeting. Ms. Stachowiak said that the only issue is the slats in the fence and they would not have been permitted under the previous ordinance either because it is a safety matter.

Seeing no one else wishing to speak, Ms. Alling closed the public hearing.

Ms. Stachowiak reviewed the areas outlined on the aerial photograph included in the packet showing the corner clearance/clear vision areas on the site. She said that the fence either needs to be moved out of these areas or the applicant can lower the height of the slats to 3 feet. She explained that the ordinance prohibits anything above a height of 3 feet within the corner clearance/clear visions area.

Mr. Berryman asked what constitutes "opaqueness".

Ms. Stachowiak said that it must be a see-through fence such as chain-link without the screening slats. She said that the ordinance prohibits any obstruction to vision above a height of 3 feet within a corner clearance/clear vision area.

Mr. Rice stated that there is nothing unique about the property that would warrant approval of the variance and thus, he cannot support the variance.

Mr. Berryman made mention of the sign located near the northwest corner of the site and the obstruction that it causes.

Ms. Alling stated that she noticed the sign as well but bringing the fence into compliance with the ordinance will allow motorists to see around the sign.

Mr. Iannuzzi made a motion, seconded by Mr. Rice to deny BZA 4073.21 for a variance to permit the screening slats in the 6-foot-high chain-link fence at 736 N. Larch Street within the corner clearance and clear vision areas described in Sections 1250.03.03 (a) & (b) of the Zoning Ordinance, on a finding that the request does not comply with the variance evaluation criteria listed in Sections 1274.06 (c) & (e) of the Zoning Ordinance. On a roll call vote, the motion carried unanimously (5-0).

Mr. Berryman asked that Ms. Stachowiak work with Mr. Berry on what needs to be done to the fence to bring the fence into compliance with the ordinance and on the time frame to do so.

Ms. Stachowiak assured the Board that she will work with the owner to resolve this matter.

V. OLD BUSINESS - None

VI. NEW BUSINESS

A. Excused Absences

Mr. Rice made a motion, seconded by Mr. Iannuzzi to approve excused absences for Mr. Solak, Ms. Jefferson & Mr. Leaming. On a voice vote, the motion carried unanimously (5-0).

B. 2022 Meeting Schedule

Mr. Iannuzzi made a motion, seconded by Mr. Berryman to approve the 2022 BZA meeting schedule as presented. On a voice vote, the motion carried unanimously (5-0).

VII. APPROVAL OF MINUTES

A. Regular Meeting, August 12, 2021

Mr. Rice made a motion, seconded by Mr. Berryman to approve the August 12, 2021 meeting minutes, as presented. On a voice vote, the motion carried unanimously (5-0).

VIII. PUBLIC COMMENT

IX. ADJOURNMENT AT 7:02 p.m.

Respectfully Submitted,

Susan Stachowiak, Zoning Administrator