
MINUTES OF REGULAR MEETING – *Approved 9/14/23*
BOARD OF ZONING APPEALS
Thursday, June 8, 2023, 6:30 P.M.
600 W. Maple Street, Lansing, MI 48915

I. ROLL CALL

The meeting was called to order by Chairperson Marcie Alling at 6:35 p.m.

Present: M. Alling, K. Berryman, C. Iannuzzi, E. Jefferson, J. Leaming, M. Rice, & M. Solak. M. Jackson (Planning Commission Representative)

Absent: B. Fryling (excused)

Staff: S. Stachowiak & A. Fedewa

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

II APPROVAL OF AGENDA

It was moved by Mr. Leaming, seconded by Mr. Rice to approve the agenda with the addition of “Excused Absence” under New Business. On a voice vote, the motion carried unanimously (8-0).

III. PUBLIC COMMENT - None

IV. PUBLIC HEARING/ACTION

A. BZA-4079.23, 5827 S. Pennsylvania Avenue, Variances to the ordinance restrictions on the size and allowable number of ground signs

Ms. Stachowiak stated that this is a request by Johnson Sign Co. on behalf of LAG Lansing Ford, LLC for variances to permit 2 ground signs at 5827 S. Pennsylvania Avenue, one of which would be 47.5 feet high, 166.7 square feet in area with a 15 foot setback from the front property line and the other of which would be 29.9¾ feet high, 60.3 square feet in area with a setback of 20 feet from the front property line. Section 1442.12(b) of the City of Lansing Sign Ordinance permits one ground sign for the subject property. Section 1442.12(h)(8) restricts the size of a ground sign at the 15-foot setback to 15 feet in height and 45 square feet in area and restricts the size of a ground sign at the 20-foot setback to 20 feet in height and 70 square feet in area. Variances of 1 to the allowable number of ground signs, 32.5 feet to the height limitation and 121.7 square feet to the size limitation for 1 of the signs and 9.9¾ feet to the height limitation for the other sign are therefore, being requested.

Ms. Stachowiak stated that the staff recommendation is to deny the variances based on a finding that the requests do not comply with the applicable criteria of Sections 1244.06 (c) and 1244.06 (e) of the Zoning Ordinance, as described in the staff report for this request. She said that there is nothing unique about the property that warrants granting the requested variances to permit 2 ground signs that would be separated by less than 150 feet, one of which would dramatically exceed the size/height restrictions of the ordinance. Ms. Stachowiak said that the size/height of the proposed signs is excessive and thus, contrary to the intent and purpose of the sign ordinance in general. The ordinance is intended to permit signs that adequately identify businesses while not creating visual clutter that is distracting to motorists and detrimental to the appearance of the streetscape. She said that variances have already been granted for the existing ground sign (recently removed) on the subject property which has been more than adequate to identify the business located thereon. Ms. Stachowiak stated that the recently removed ground sign can be replaced in the same location and to the same dimensions as what existed prior to its removal.

Mr. Berryman asked for information about the sizes of signs for other dealerships located on Pennsylvania Ave. Ms. Stachowiak stated that most of them were also granted variance to the setback height, size and setback regulations.

Mr. Leaming asked about the variances for the dimensions and setback of the recently removed sign that can be replaced.

Ms. Stachowiak stated that she was not aware that it had been removed and she has been unable to locate the variance and sign permit records. She said that she will continue to search for that information but the issue before the Board is whether to approve 2 ground signs that would exceed the allowable dimensions. Ms. Stachowiak said that, based upon measurements taken from the City's Geographic Information System map, the sign at the north end of the property would be located closer to S. Pennsylvania Avenue than the one that was recently removed and the proposed sign to the south would exceed the height limitation for a sign at its proposed setback.

Ms. Leaming asked the applicant if he was aware of the previously granted variances and if he would even be making these requests if he had known.

Ms. Alling opened the public hearing.

Houston Valentine, project manager for Lafontaine, stated that he would still be making these requests because they want two ground signs, both of which require variances to the height limitations and one to the size restriction based upon the proposed setbacks. Ms. Valentine said that if the signs were to be located at the required setback, they would interfere with vehicular circulation through the parking lot. He also said that the sign requirements are mandated by the Ford Motor Company and that Mr. Valentine stated that it is customary for dealerships to have two ground signs: one for dealership identification and one for previously owned vehicles.

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

Mr. Rice stated that the issue before the Board is whether the requested variances should be approved. He said that since he does not believe that the proposed signs comply with the evaluation criteria set forth in the ordinance, he is not able to support variances.

There was significant discussion amongst the Board members regarding the previously approved variance. The Board members agreed that there was no basis for granting the requested variances. They also agreed that staff needs to determine the parameters for what is permitted under the previously approved variances to allow replacement of the proposed ground sign near the north end of the site.

Mr. Rice made a motion, seconded by Ms. Jefferson to deny BZA 4079.23, a request for variances to permit 2 ground signs at 5827 S. Pennsylvania Avenue, one of which would exceed the limitations of 15 feet and 45 square feet in area for a sign with a 15 foot setback and the other of which would exceed the height limitation of 20 feet for a sign with a 20 foot setback, on a finding that the variances do not comply with the applicable practical difficulty/unnecessary hardship and impact criteria listed in Sections 1244.06(c) 1244.06(e) of the Sign Ordinance.

Mr. Leaming proposed a friendly amendment, consented to by Mr. Rice, to confirm that the applicant is permitted to erect a new ground sign in accordance with the previously approved setback, height, and square footage variances.

Mr. Rice and Ms. Jefferson accepted the friendly amendment.

On a roll call vote, the motion to deny BZA 4079.23 passed unanimously (8-0), a request for variances to permit 2 ground signs at 5827 S. Pennsylvania Avenue, one of which would exceed the limitations of 15 feet and 45 square feet in area for a sign with a 15 foot setback and the other of which would exceed the height limitation of 20 feet for a sign with a 20 foot setback, on a finding that the variances do not comply with the applicable practical difficulty/unnecessary hardship and impact criteria listed in Sections 1244.06(c) 1244.06(e) of the Sign Ordinance, with the understanding that the applicant is permitted to erect a new ground sign in accordance with the previously approved setback, height, and square footage variances.

V. OLD BUSINESS

VI. NEW BUSINESS

A. Excused Absence

Mr. Leaming made a motion, seconded by Mr. Rice to approve an excused absence for Mr. Fryling. On a voice vote, the motion carried unanimously (8-0).

VII. APPROVAL OF MINUTES

A. Regular Meeting, January 12, 2023

Mr. Iannuzzi made a motion, seconded by Mr. Berryman to approve the June 12, 2023, meeting minutes, as presented. On a voice vote, the motion carried unanimously (8-0).

VIII. PUBLIC COMMENT

IX. ADJOURNMENT AT 7:13 p.m.

Respectfully Submitted,

Susan Stachowiak, Zoning Administrator