



Andy Schor
Mayor

**LANSING BOARD OF ZONING APPEALS
REGULAR MEETING
DEPARTMENT OF ECONOMIC DEVELOPMENT AND PLANNING
Thursday, April 11, 2024, 6:30 PM
600 W. Maple Street
Neighborhood Empowerment Center – Boardroom**

AGENDA

- I. ROLL CALL**
- II. APPROVAL OF AGENDA**
- III. PUBLIC COMMENT**
- IV. PUBLIC HEARING/ACTION**
 - A. BZA-4083.24, 6415 S. Cedar Street, Variances to the allowable number of ground signs and to the size restriction and allowable number of wall signs.**
- V. OLD BUSINESS**
- VII. NEW BUSINESS**
- VI. APPROVAL OF MINUTES**
 - A. Regular Meeting, March 14, 2024**
- 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: Michael Herrema
6415 S. Cedar Street
Lansing, MI 48911

OWNER: HIL S. Cedar, LLC
19184 Rosemary Road
Spring Lake, MI 49456

REQUESTED ACTION: Variances to the allowable number of grounds signs and to the number and maximum size allowance for wall signs.

EXISTING LAND USE: Automatic Car Wash (Tommy's)

EXISTING ZONING: "S-C" Suburban Commercial

PROPERTY SIZE & SHAPE: Irregularly Shaped Lot - (2.03 acres)

SURROUNDING LAND USE: N: Vacant Commercial Building
S: Multi-Tenant Commercial Building
E: Freeway Entrance & Exit Ramps
W: Vacant Commercial Building

SURROUNDING ZONING: N: "S-C" Suburban Commercial
S: "S-C" Suburban Commercial
E: "S-C" Suburban Commercial
W: "S-C" Suburban Commercial

MASTER PLAN DESIGNATION: The Design Lansing Master Plan designates the subject property for suburban commercial use. S. Cedar Street is designated as a suburban corridor.

ANALYSIS

This is a request to permit a second ground sign and 3 additional wall signs on the building at 6415 S. Cedar Street (Tommy's Car Wash) totaling 212.46 square feet. Section 1442.12 (b) of the Sign Ordinance permits 1 ground sign on the property and Sections 1442.13 (a) & (i) permit 2 wall signs on the building, the combined area of which cannot exceed 100 square feet. There is already 1 ground sign on the site and 2 wall signs on the building that have a combined size of 88.71 square feet. Variances of 1 to the allowable number of ground signs, 3 to the allowable number of wall signs and 112.46 square feet to the size limitation for wall signs, are therefore, being requested.

Permitted	Proposed	Variance
1 ground sign	2 ground signs	1 ground sign
2 wall signs	5 wall signs	3 wall signs
100 square feet – maximum wall sign area (all signs combined)	212.46 square feet	112.46 square feet

ANALYSIS

Practical Difficulty or Hardship

The applicant has not provided any justification for the variances other than stating on the application that “This greatly affects our marketing campaign which will contribute to our success.” It is assumed that the request for the additional ground sign along the east side of the property is intended to identify the business to motorists existing the freeway and the additional wall signage is intended to identify and draw attention to the site from all directions and roadways.

Approval of a variance must be based upon a finding that there is a “practical difficulty” associated with a particular property that either prevents compliance with the ordinance or makes it unreasonably difficult. The other standard that can be applied is whether denial of the variance would place an unnecessary hardship on the applicant, based upon a finding that there are unique circumstances that would allow the variance to be approved while preserving the ordinance standard and not setting a negative precedent for future requests of a similar nature.

Several criteria are described in Section 1274.06(c)(1-4) for the Board to consider in determining the adequacy of a practical difficulty or unnecessary hardship:

1. The hardship or practical difficulty results from the application of this Zoning Code to his or her lot, rather than from some other factor.
2. The hardship or practical difficulty is not the result of his or her own actions.
3. The hardship or practical difficulty is unique to the subject property.
4. If the owner of the lot complies with this Zoning Code, he or she can secure no reasonable return from, or make no reasonable use of his or her property.

The request complies with the first criterion as the variances are directly related to the ordinance regulating ground signs and wall signs. The second criterion regarding whether the applicant created a hardship or practical difficulty that is being used to justify the variances is not applicable in this case as this request is not based upon any unique feature of the site that creates a practical difficulty or unnecessary hardship for the applicant is complying with the ordinance. There is nothing unique about the subject property that warrants relief from the sign ordinance regulations. There is no uneven topography, the site has adequate road frontage and there is nothing obstructing the view of the site/building and the signs located thereon. The existing ground sign and wall signs are clearly visible to traffic along S. Cedar Street which provides the only access to the site.

The third criterion also relates to whether there is something unique about the request that would allow the variances to be approved while still upholding the intent of the ordinance. Granting a variance when it cannot be established that there is a practical difficulty that is markedly unique based on a physical feature of a site would render the Ordinance ineffective in accomplishing its intended purpose and would set a negative precedent for approval of other variance requests of a similar nature. In this case, the requested variances are based solely on the desire to have additional

signage to advertise and draw attention to the business. Since this would be the desire of most customer-oriented commercial businesses, it is highly likely that approval would result in additional requests for more and larger signs that compete with other signs for attention.

IMPACT STANDARDS

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.**

The proposed signage 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. The site already has one ground sign that is visible from S. Cedar Street and 2 wall signs, one on the front of the building and one on the south side of the building, all of which are in compliance with the current sign ordinance.

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 signs would have no impacts on pedestrian traffic in the area. Approval of variances that set a negative precedent for future variances to the sign ordinance restrictions can result in excessive and uncontrolled signage along the City's major corridors that could be distracting to drivers and diminish the appearance of the streetscape.

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

The proposed variances will not generate any nuisances.

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

Since there is nothing unique about the site that would warrant relief from the ordinance, approval of the variances would set a negative precedent for future requests to vary the sign ordinance provisions, thus resulting in visual clutter along the City's major corridors which would be contrary to the intent and purpose of the sign ordinance, as described above.

OTHER

The current sign ordinance permits 2 wall signs on the building. A new sign ordinance has been drafted that, if approved as it is currently written, would allow for 2 additional wall signs (one on each of the 4 walls of the building), as long as the combined square footage of the signs does not exceed 100 square feet in area.

The attached site signage plan provided by the applicant shows numerous signs on the site and on the building that are permitted as directional signs. All of the directional signs are already installed, and all are in compliance with the current sign ordinance regulations relating thereto.

FINDINGS

This is a request to permit a second ground sign and 3 additional wall signs on the building at 6415 S. Cedar Street (Tommy's Car Wash) totaling 212.46 square feet. Section 1442.12 (b) of the Sign Ordinance permits 1 ground sign on the property and Sections 1442.13 (a) & (i) permit 2 wall signs on the building, the combined area of which cannot exceed 100 square feet. Variances of 1 to the allowable number of ground signs, 3 to the allowable number of wall signs and 112.46 square feet to the size limitation for wall signs, are therefore, being requested.

Based upon the available information, the requested variances do not comply with the applicable practical difficulty/unnecessary hardship, or the impact criteria listed in Sections 1274.06 (c) and 1274.06 (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 deny BZA 4083.24 for variances to permit 2 ground signs on the property and 5 wall signs totaling 212.46 square feet on the building at 6415 S. Cedar Street, on a finding that the requests do not comply with the variance evaluation criteria listed in Sections 1274.06 (c) & (e) of the Zoning Ordinance."

Respectfully Submitted,

Susan Stachowiak
Zoning Administrator



Location Map:
6405 S. Cedar St.
Lansing, MI 48911

5009 West River Drive
 Cornstock Park, MI 49321
 Ph 616.784.5711 | Fx 616.784.8280
www.valleycitysign.com

The designs, details and plans represented herein are the property of Valley City Sign, specifically developed for your personal use in connection with the project being planned for you by Valley City Sign. They are not to be shown to anyone outside of your organization, nor are they to be used, reproduced, exhibited or copied in any fashion whatsoever.



CUSTOMER INFO	
ACCOUNT	Tommy's Express Car Wash
ADDRESS	6405 S. Cedar St.
INITIAL PROPOSAL DATE	March 30 th , 2023

REVISIONS	INITIALS & DATE
A Move sign locations	TC 4/5/23
B Added WS39-CW	JV 2/20/24
C Added 2x wall signs & 1x pylon	JV 3/14/24
D --	--
E --	--
F --	--

REVISIONS CONT.	INITIALS & DATE
G --	--
H --	--
I --	--
J --	--
K --	--
L --	--

SITE#
P3606
 Lansing,
 Michigan

Primary Site Signage

RESPONSIBILITIES

General Contractor

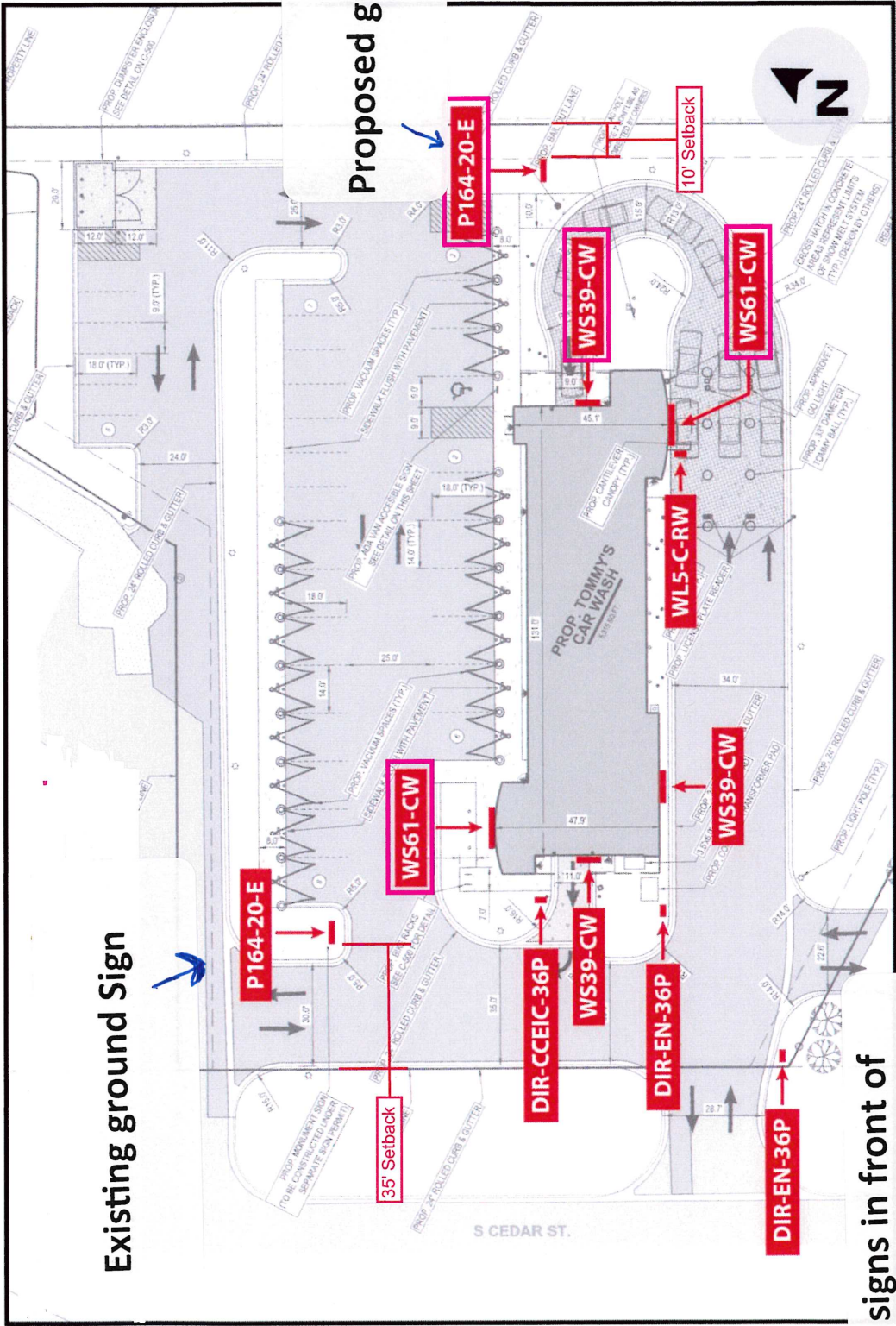
P164-20-E (2):
DIR-EN-36P:
Property line staking
Easements staking

Proposed ground Sign

P164-20-E:
WS61-CW (2)
WS39-CW (3):
WL5-C-RW:
Electrical Service

*** Note ***

Please reference
architectural plans for
required installation detail.



DIR signs in front of
building are existing
directional signs

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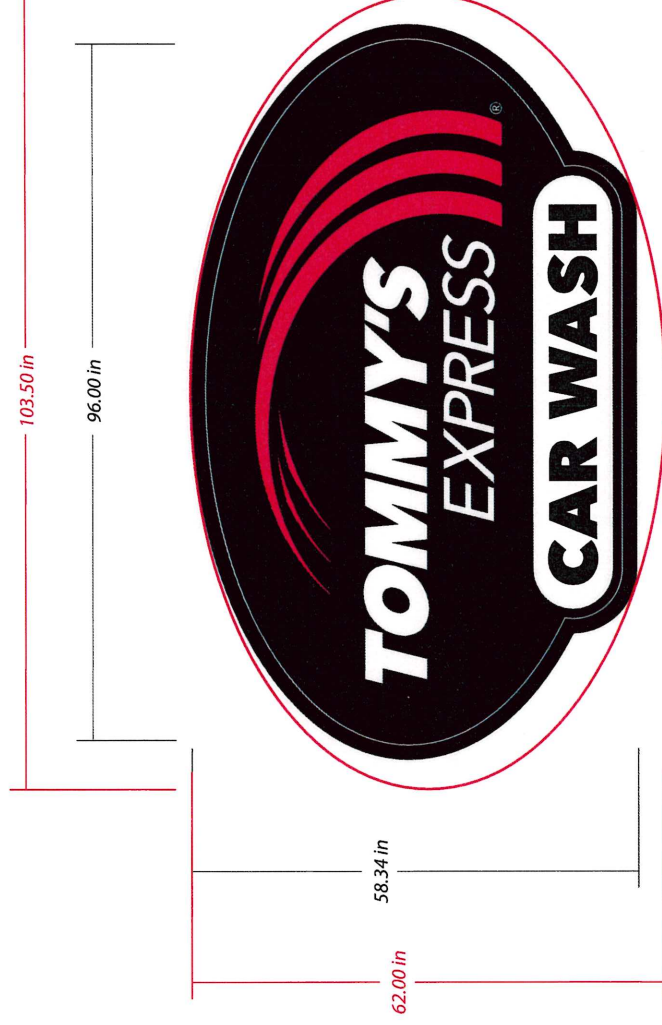
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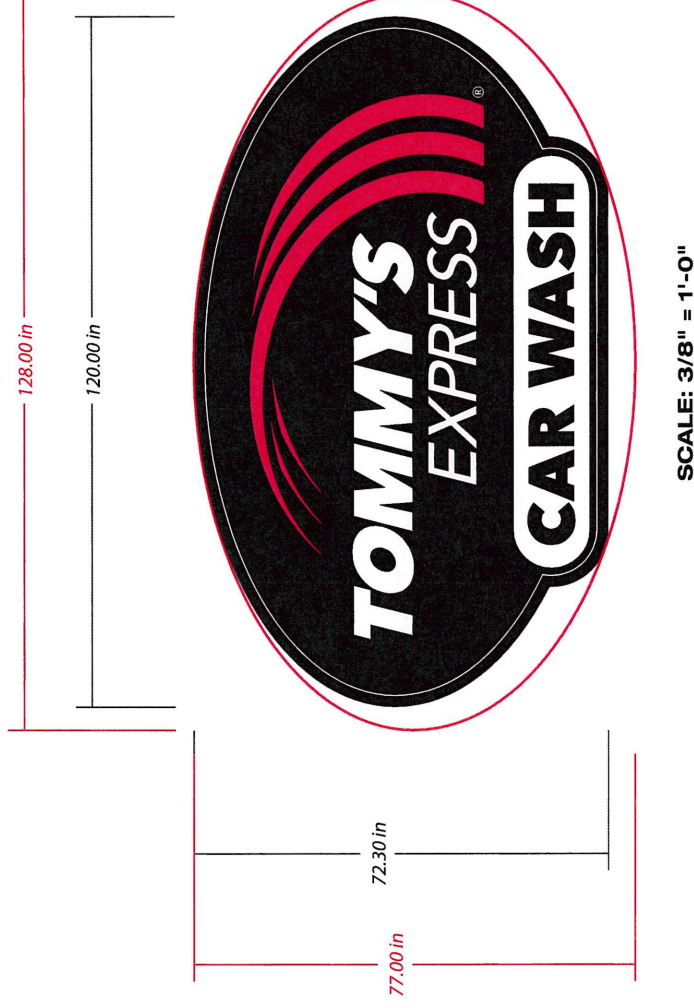
SCALE: 1/2" = 1'-0"

Height x Width of sign cabinet: 58.34" x 96"

Height x Width of surrounding oval: 62" x 103.5"

Area of an oval in square feet: $(H/2 \times W/2 \times 3.14) / 144$

Area of surrounding oval: $((62/2) \times (103.5/2) \times 3.14) / 144 = 34.98 \text{ SqFt}$



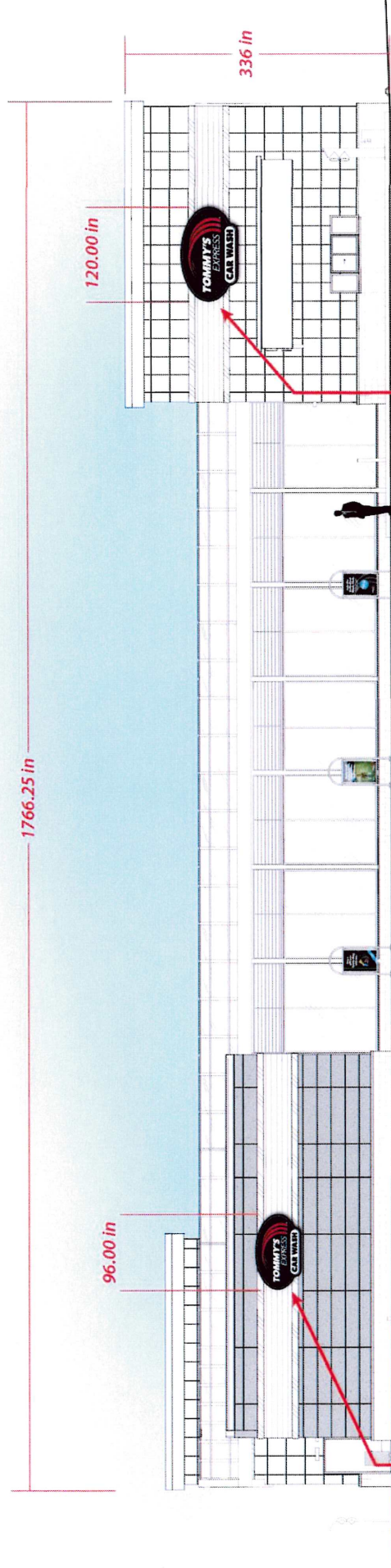
Height x Width of sign cabinet: 72.3" x 120"

Height x Width of surrounding oval: 77" x 128"

Area of an oval in square feet: $(H/2 \times W/2 \times 3.14) / 144$

Area of surrounding oval: $((77/2) \times (128/2) \times 3.14) / 144 = 53.73 \text{ SqFt}$

This additional signage is being requested.
All other signage shown has already been
permitting and installed.



Front Side Elevation | Scale: 1/16" = 1'-0"

WS39-CW South Elevation –
existing 34.98 square
foot sign

WS61-CW

South Elevation –
proposed 53.73 square
foot sign

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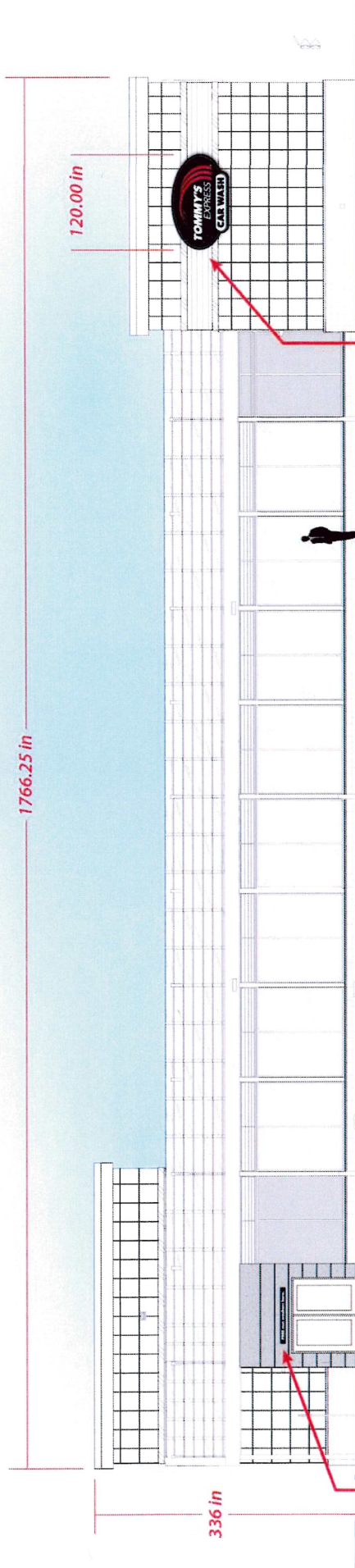
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This additional signage is being requested.



Back Side Elevation | Scale: 1/16" = 1'-0"

North Elevation –
proposed 53.73 square
foot sign

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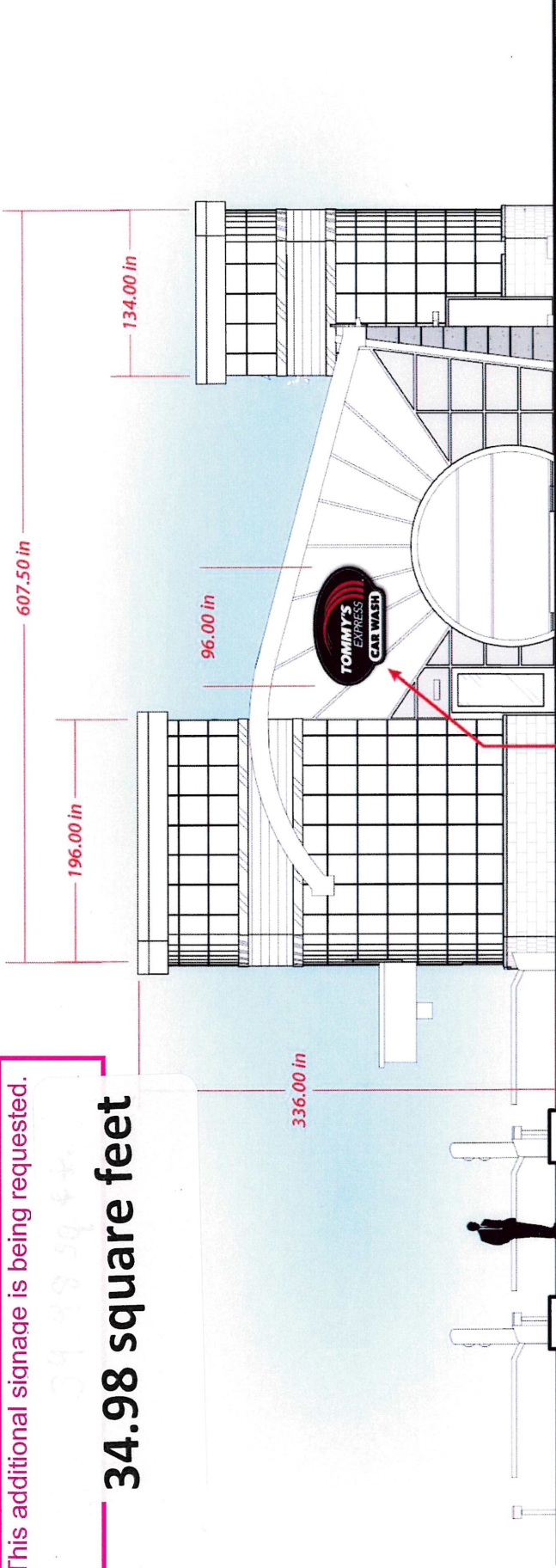
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This additional signage is being requested.

34.98 square feet



Entry End Elevation | Scale: 3/32" = 1'-0"

WS39-CW

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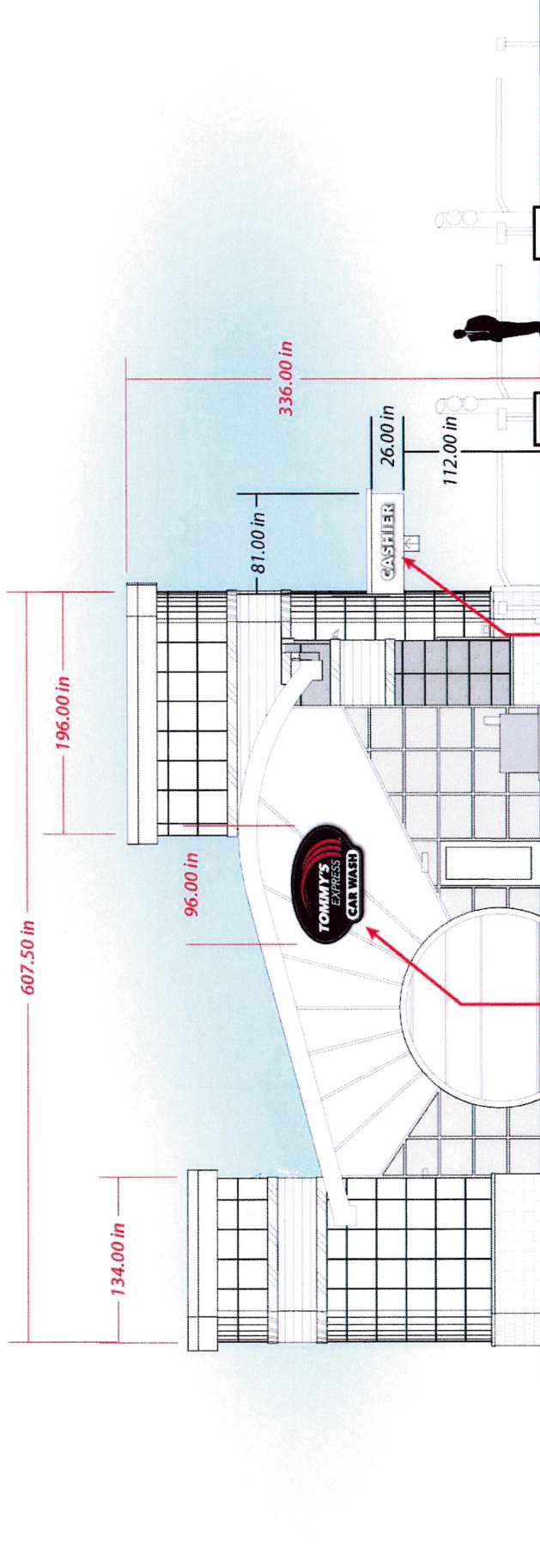
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Michigan



Exit End Elevation | Scale: 3/32" = 1'-0"

Existing 34.98 square foot
sign on front of building

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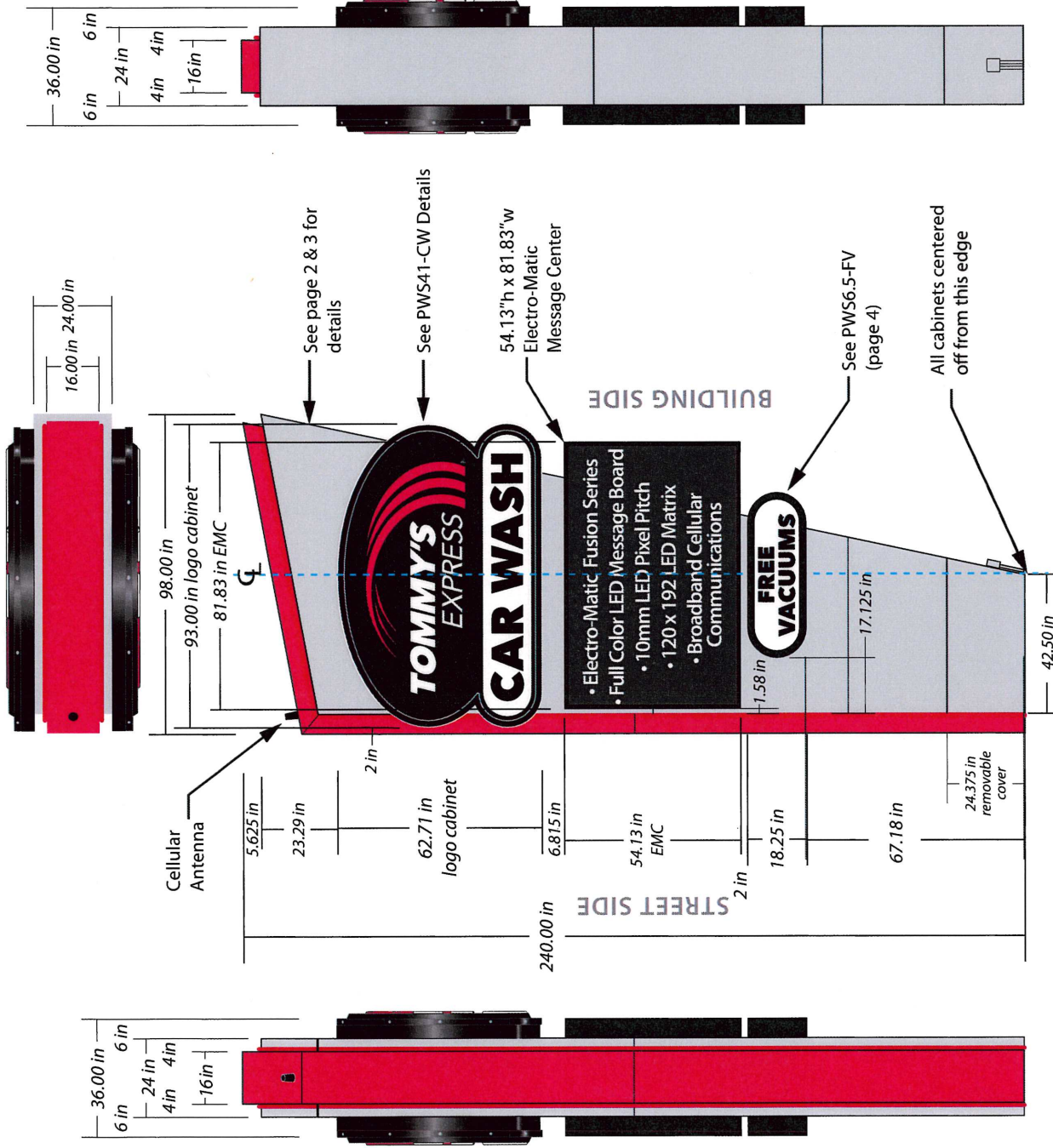
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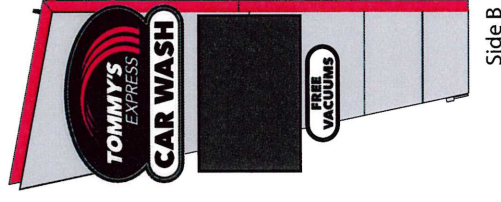
PYLON SIGN

SIGN CODE: P164-20-E

SCALE: 1/4" = 1'

DATE: 06.09.23C

QUANTITY: 2



**MINUTES OF REGULAR MEETING
BOARD OF ZONING APPEALS
Thursday, March 14, 2024, 6:30 P.M.
600 W. Maple Street, Lansing, MI 48906**

I. ROLL CALL

The meeting was called to order by Chairperson, Marcie Alling at 6:30 p.m.

Present: M. Alling, C. Iannuzzi, J. Leaming, M. Jackson, K. Berryman, E. Jefferson, B. Fryling & H. Lowry

Absent: M. Rice (excused)

Staff: S. Stachowiak

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. Iannuzzi, seconded by Mr. Leaming 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-4083.24, 3218 S. Cambridge Road- Variances to permit a circular driveway in the front yard.

Ms. Stachowiak stated that the staff recommendation is to approve the request for variances to Sections 1254.01.17 (a)(1)(a.) & (b)(2) of the Zoning Ordinance to permit parking in the front yard on a new, second (circular) driveway at 3218 S. Cambridge Road. She stated that these Sections permit one driveway on a single-family residential parcel of land and restricts parking within a front yard to the one permitted driveway.

Ms. Stachowiak stated that the requested variances must be evaluated in terms of whether the proposed circular driveway would be consistent with the intent of the ordinance and therefore, denial of the variances would place an unnecessary hardship on the applicant. In other words, a finding that the variances would not set a negative precedent for future requests of a similar nature since it based upon unique circumstances that preserve the intent of the ordinance standards. She referred the Board members to the map in the packet that identifies the location of the properties in the area that currently have a circular driveway in the front yard. Ms. Stachowiak stated

that the neighborhood in which the subject property is located has the largest lot sizes, in general, of any neighborhood in the City of Lansing which is why so many circular driveways have been permitted over the years under old ordinances. She also said that the majority of the homes in the area have much greater setbacks than most other residential areas so the vehicles that are parked in the circular driveways are setback far enough that they do not have any negative impacts on the streetscape. Based upon these circumstances, Ms. Stachowiak stated that approval of the applicant's request will not set a negative precedent for future requests of a similar nature and therefore, denial of the request would create an unnecessary hardship for the applicant.

Ms. Alling opened the public hearing.

Mark Clous, 3218 S. Cambridge Road, spoke in support of his request. He said that the circular driveway is primarily needed to provide safe and convenient parking for his guests and those with mobility issues in particular.

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

Mr. Leaming stated that he is supportive of the requested variances. He pointed out that the on-street parking is located a fair distance from the house and given the curvature of the road in the area, it would be safer for guests to park on an off-street driveway.

Mr. Fryling agreed and pointed out that there is a neighboring property that already has more than one driveway.

Ms. Jefferson and Ms. Alling spoke in support of the request, acknowledging that there are already several circular driveways in the area and that there are unique features of the site involving the vast amount of road frontage that it consumes and the deep setback of the house that warrant relief from the ordinance.

Mr. Iannuzzi made a motion, seconded by Mr. Leaming to approve BZA 4083.24, variances to Sections 1254.01.17 (a)(1)(a.) & (b)(2) of the Zoning Ordinance to permit parking in the front yard on a new, 12-foot wide, second (circular) driveway at 3218 S. Cambridge Road, on a finding that the request complies with the variance evaluation criteria listed in Sections 1274.06 (c) & (e) of the Zoning Ordinance. On a roll call vote, the motion carried (8-0).

V. OLD BUSINESS - None

VI. NEW BUSINESS

A. Excused Absences

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

VII. APPROVAL OF MINUTES

A. Regular Meeting, February 8, 2024

Mr. Leaming made a motion, seconded by Mr. Jackson to approve the February 8, 2024, meeting minutes, as presented. On a voice vote, the motion carried unanimously (8-0).

VIII. PUBLIC COMMENT - None

IX. ADJOURNMENT AT 6:47 p.m.

Respectfully Submitted,

Susan Stachowiak, Zoning Administrator