



City Hall
208 North First Avenue
Alpena, Michigan 49707
www.alpena.mi.us

Planning, Development, & Zoning

City of Alpena Zoning Board of Appeals

Regular Meeting

Thursday July 27, 2023, @ 5:00 p.m.

This meeting will be held in Council Chambers as well as virtually.

Please join my meeting from your computer, tablet, or smartphone.

<https://www.gotomeet.me/CityofAlpena/zoning-board-of-appeals>

You can also dial in using your phone:

United States: [+1 \(571\) 317-3122](tel:+15713173122)

Access Code: 788-887-717

AGENDA

CALL TO ORDER

ROLL CALL

PLEDGE OF ALLEGIANCE

APPROVAL OF AGENDA

APPROVAL OF MINUTES: Meeting April 28, 2023

PUBLIC HEARING AND ZBA ACTION:

Case # ZBA23-0003 – 210 Wilson St – Sign Variance

BUSINESS:

UNFINISHED: none

NEW: none

COMMUNICATIONS OR REPORTS: none

CONTINUING EDUCATION: none

PUBLIC COMMENT:

MEMBERS COMMENTS:

ADJOURNMENT:

MINUTES
City of Alpena Zoning Board of Appeals
Regular Meeting (Council Chambers and Virtual)
April 28, 2023

CALL TO ORDER:

The regular meeting of the Zoning Board of Appeals was called to order at 12:00 pm by Chairman Bray.

ROLL CALL: ZONING BOARD OF APPEALS

PRESENT: Bray, Guest, Keller, Kostelic, Broers

ABSENT: Lewis

STAFF: Montiel Birmingham (Planning, Development and Zoning Director), Donald Gilmet (Contractual Staff), Kathleen Sauve (Recording Secretary)

PLEDGE OF ALLEGIANCE:

The Pledge of Allegiance was recited.

APPROVAL OF AGENDA:

The Agenda was approved as printed.

APPROVAL OF MINUTES:

Minutes of the March 29, 2023, meeting were approved as amended to list Lewis as absent, not present.

PUBLIC HEARING AND BOARD ACTION: Case # ZBA23-0002: Habitat for Humanity, applicant, requests an increase in size for a temporary sign; the requested sign size is 6' x 9', or 54 square feet. Ordinance maximum on a residential lot is 12 square feet with a single sign maximum of 4 square feet. The sign will be removed after the home is constructed.

Birmingham presented the Finding of Fact and Dimensional Variance Report as provided in the meeting packet.

FAVOR: Ted Fines, Director of Habitat for Humanity of Northeast Michigan, stated that what they are trying to achieve is not only to advertise what Habitat for Humanity offers, but also the modular construction manufactured in Bay City by General Housing Corporation, which is the only modular manufacturer in the State of Michigan. He stated that they are the only Habitat in the State of Michigan to offer modular homes. He said they started in 2019 when they built a house in Harrisville. They also have property on Merchant Street in Alpena that they want to develop later this year or early next year. He said the [proposed] sign is planned to be used in different sites. He said he felt that they are part of the solution to the housing crisis, and part of that solution is Habitat being developers and offering modular construction; they still must

meet State and Local Codes. He said that as they can see by the rendering, it is a nice one and a half story with no garage to try to keep it affordable. Fines said that the concept that they wanted to advertise to the community is that they were not just going to slap in a "typical" Habitat house; it will fit into the neighborhood. He stated that it would be six block high and match most of the [surrounding] elevations; they have reached out to the neighbors since last fall and shared pictures.

Broers asked how they acquired the property. Fines stated that they contacted the owners who live in Scottsdale, Arizona and they donated the property to them. He then stated that they purchased the property on Merchant Street a few years ago and there is a family getting ready to prequalify for a mortgage. He said this family is prequalified through USDA502 loan for \$297,000, 33-year mortgage at 3.5%, although they are not going to spend that much, and their hope is that it will be closer to \$200-220,000. He said if it had been built three years ago, it would be \$50,000 less.

Broers asked about the survey stake on the neighbor's side of the fence. Fine said that Lewis & Lewis surveyed it and staked it out. He explained that the lot is not a perfect rectangle and offered to show the Board the approved set of plans from the City.

Fines then went on to say that their goal is to get them into a house that is affordable. They do not want to put families into a situation where they will fail.

Bray asked what the size of the lot is and would there be enough room for the sign and the construction to take place. Fines said they would move the sign if needed during construction; He would like it facing Washington Avenue since there is more traffic there. He went on to explain that the thing with modulares is that there will be less activity on site. He said the house is going to be shipped and set in the middle of July.

OPPOSITION: None.

Public Hearing closed for deliberation at 5:13 pm by Chairman Bray.

Guest said that it seems reasonable to him; it is temporary and there had not been any adverse feedback from the adjoining properties. Kostelic agreed. Keller asked how the surrounding property owners know about the sign in advance. Birmingham explained that it is a required notice that gets sent out 15 days prior to the meeting, to all surrounding property owners within 300 feet; it directs them to either come to the meeting in person, online, or contact her directly. Keller asked Fines about the placement of the sign. Fines said he will be working with the Building Department, and whoever would like to be there to decide on the placement of the sign. He explained that the construction of the sign would be of similar style to the one at the old Habitat site, and it will be moveable. Keller said that he thought the sign was too busy and people would have to slow down to be able to read it. Fines said that he wanted to show the public what they are capable of doing and how they are working with the Building Department and the City to enhance the neighborhood, not detract from it. Broers said he didn't think there would be zero negative public comment if it wasn't a nice one-and-a-half story home that is in line with the rest of the houses. Fines said the reason they put additional information on the sign is not only to advertise Habitat for Humanity of Northeast Michigan and how they could be contacted, but also to advertise General Housing Corporation for anyone

interested in modular construction, and how to contact them. Broers asked who paid for the sign. Fines said that the architect, Kevin White, and his wife, paid for the sign. Guest said that in support of it, Habitat does a lot for the community, there is a lack of housing and encouraging development in the City is a good thing, and the [sign] is temporary. Broers said the sign will be dwarfed by the construction. Keller agreed.

Broers ***motioned*** to approve the dimensional sign variance request with the stipulation that it must meet general sign standards as recommended in the Finding of Fact report.

Guest ***seconded*** the motion to approve.

Motion ***approved*** by unanimous vote.

UNFINISHED BUSINESS: None.

NEW BUSINESS: None.

COMMUNICATIONS: None.

REPORTS: None.

PUBLIC COMMENT: None.

MEMBERS COMMENTS: None.

ADJOURNMENT:

With no further business to discuss, Chairman Bray adjourned the meeting at 12:25 pm.

Alan Guest, Secretary

Dennis Bray, Chairman

FINDINGS OF FACT DIMENSIONAL VARIANCE REPORT

APPLICANT: OMEGA ELECTRIC & SIGN CO ON
BEHALF OF SAMARITAS
REQUEST: VARIANCE – ILLUMINATION
LOCATION : 210 WILSON ST
DISTRICT: RM-2
REVIEW DATE: 7/1/2023
REPORT: ZBA23-0003



Summary of Request: Applicant would like to construct a sign at 210 Wilson St. The proposed sign is 20 square feet in size and meets size requirements. Original height submission was 7'6" which exceeds Zoning Ordinance requirements; applicant agreed to meet height requirements and reduce height to a maximum of 6'11". The submission also requests to have internal illumination; only *external* illumination is allowed in a residential district in the new Sign ordinance. Current sign will be removed and new sign will be placed in same location.

Sections of note from the Zoning Ordinance for Monument Signs in the RM-2:

- 4.2.N: Freestanding signs shall be set back at least two (2) feet from the property line and shall be centered as much as possible along the street frontage.
- Table 4A: One double-sided sign per entrance with a max of 24 square feet and total height of 6 feet
 - New sign ordinance allows the ZA to grant a sign increase under specific conditions, which was granted in this case for 4.2.O.1.a Compatibility with adjacent land uses and signs and 4.2.O.2.b Compatibility of the sign with the size, location, and character of the principal building(s) on-site.
- Table 4B: External Illumination only.

Note that currently the ZBA has dimensional variance standards which are not necessarily the best factors to use when considering signs. New factors have been added into Article 4 for ZA administrative departures and will also be added into Article 8 ZBA of the Zoning Ordinance to be used in the future for signs when a variance request is greater than what the ZA can allow.

VARIANCE STANDARDS: SECTION 8.5

DIMENSIONAL VARIANCE STANDARDS: The ZBA may grant dimensional variances when the applicant demonstrates in the official record of the hearing that the strict enforcement of this Ordinance would result in practical difficulty. To establish practical difficulty, the applicant must establish all of the following:

1. **Unique Circumstances:** The need for the requested variance is due to unique circumstances or physical conditions of the property involved that do not apply generally to other properties in the surrounding area, such as narrowness, shallowness, shape, water, or topography and is not due to the applicant's personal or economic hardship;

ZA Response: The building is set back off the road approximately 340'. The lot is very large and is zoned as RM-2 (Multiple Family Residential District). Almost all other RM-2 districts within the City are

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surrounded by R-1/R-2 Single Family Residential Districts. The recent revisions made to Article 4 to allow external illumination, but not internal illumination in residential districts, was to limit the amount of light trespass and disruption impacting residences. This property is unique in that it is surrounded by OS-1 (Office Service) and B-2 (General Business).

2. **Regulation Compliance:** Strict compliance with the regulations 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 unnecessarily burdensome;

ZA Response: External illumination could be used here, as with any other surrounding property.

3. **Justice:** Whether granting the requested variance would do substantial justice to the applicant as well as to other property owners in the district, or whether granting a lesser variance than requested would give substantial relief to the property owner and be more consistent with justice to other property owners;

ZA Response: Other surrounding properties on the street are utilizing internal illumination (example: Ramada).

4. **Self-Creation:** The need for the requested variance is not the result of action of the property owner or previous property owners (self-created).

ZA Response: Zoning district location is not self-created.

5. **Adverse Impact:** That the requested variance will not cause an adverse impact on surrounding property, property values, or the use and enjoyment of property in the neighborhood or zoning district and will not impair an adequate supply of light and air to adjacent property, unreasonably increase the congestion in public streets, or increase the danger of fire or endanger the public safety, or in any other respect impair the public health, safety, comfort, morals or welfare of the inhabitants of the City of Alpena

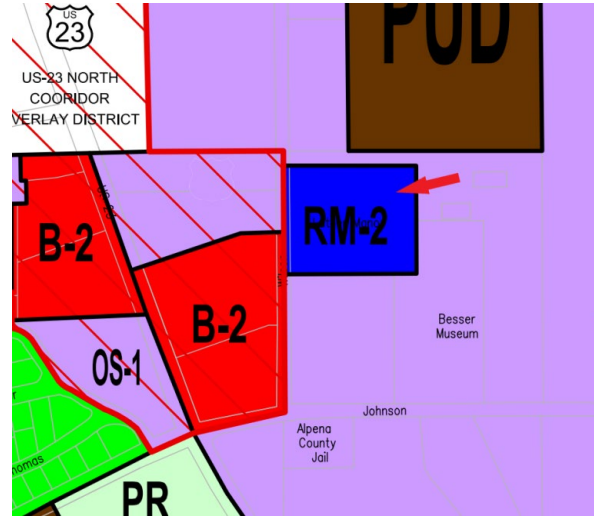
ZA Response: No negative impact is anticipated based on location; internally illuminated signs exist across the street. Residences are set back far enough to not be a disturbance.

ADDITIONAL NOTES

Objections Received:

No objections to the variance request have been received.

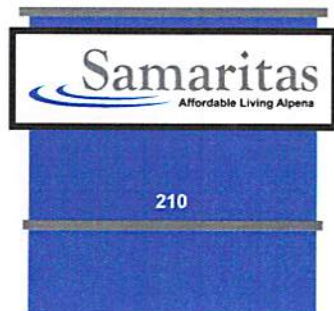
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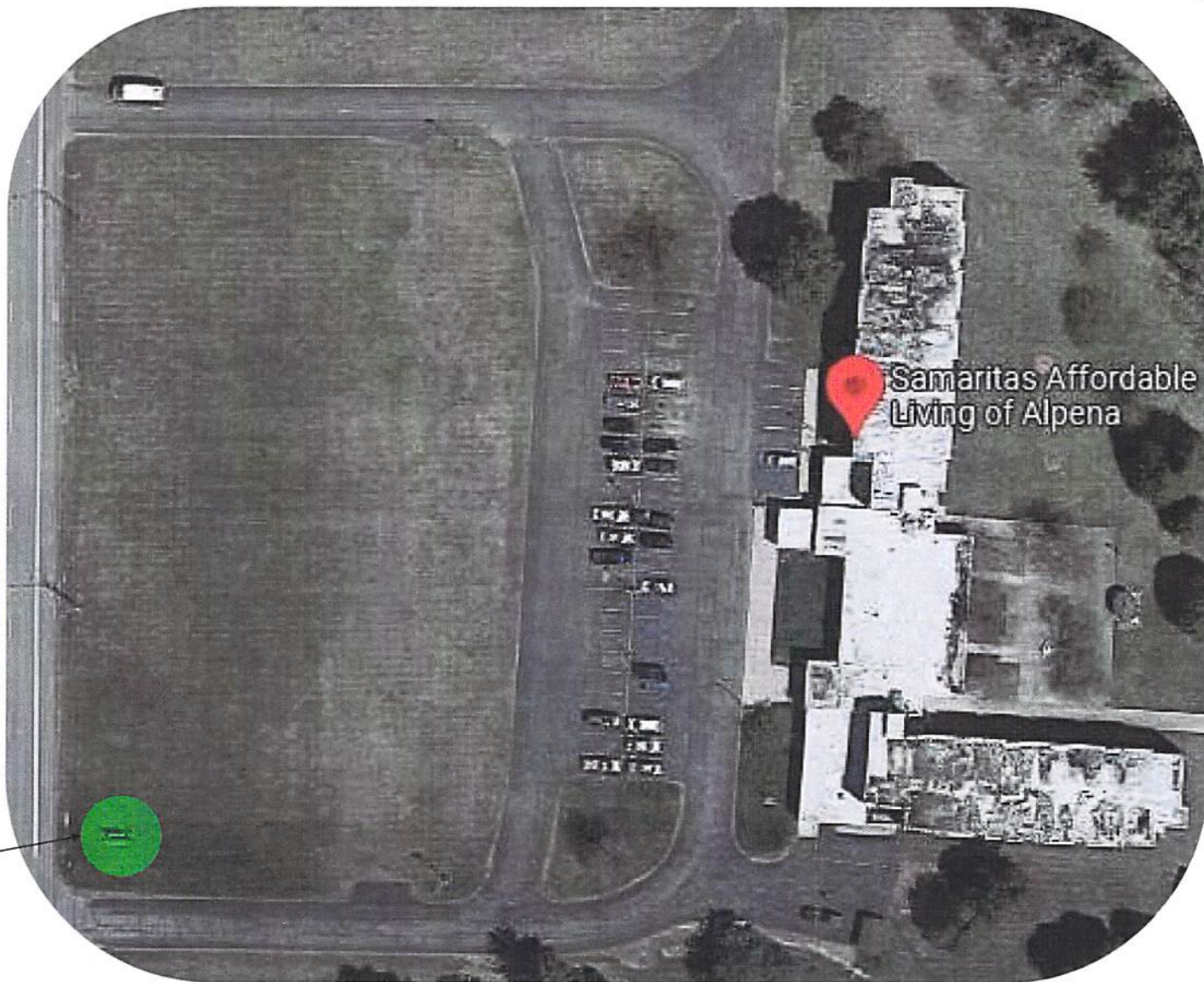
CURRENT SIGN







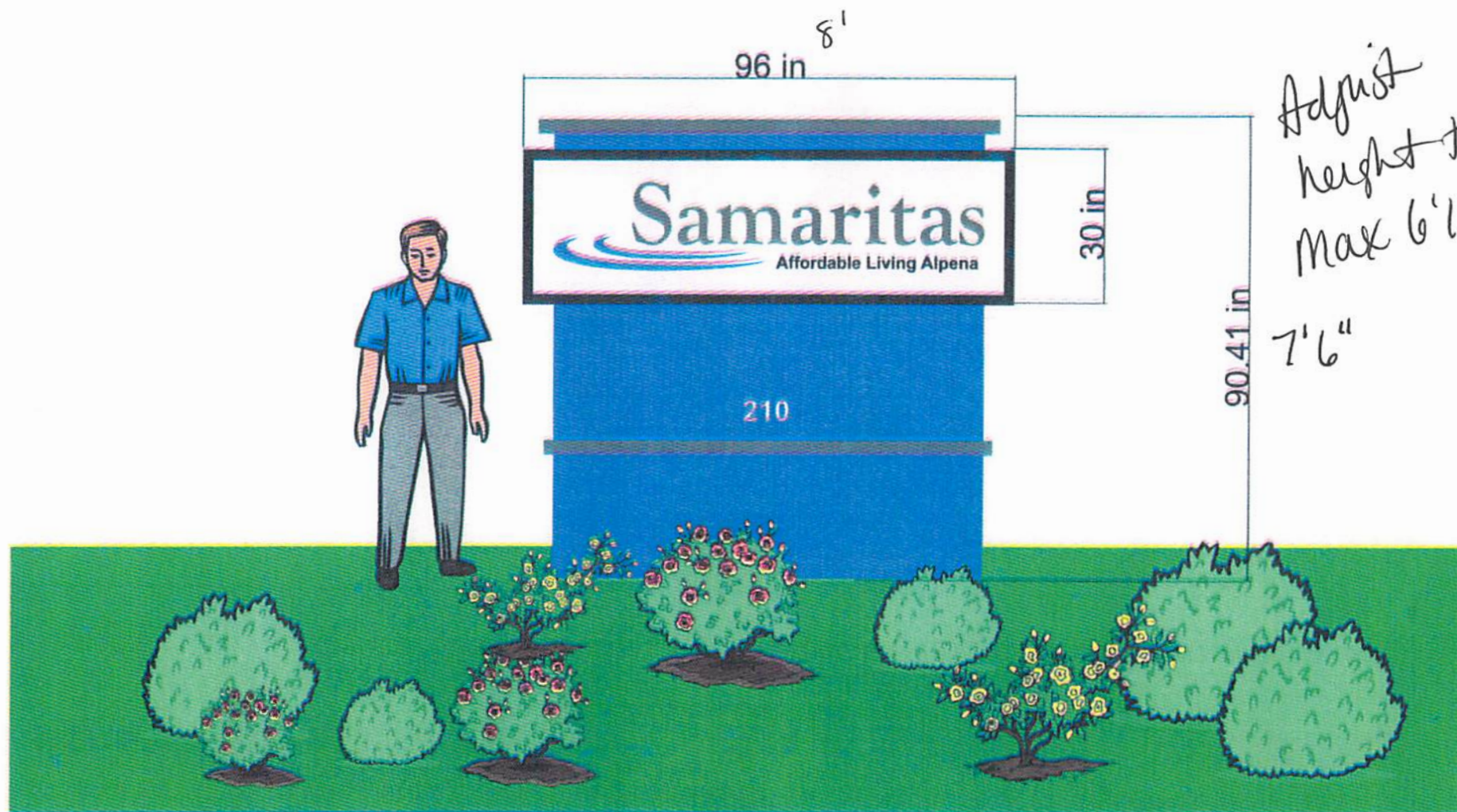
**EXISTING SIGN
TO BE
REPLACED**



Customer:	SAMARITAS SENIOR LIVING		
Company:			
Address:	210 WILSON ST.		
City:	ALPENA, MI	State/ZIP:	49707
Phone:			
Fax:			



Job No.:	Date: 4/25/2023	
Order Date: 6/9/2023	Salesperson: R. Fairchild	
Sign Dimensions: 20 SQ FT MAIN ID SIGN	Estimate:	
Comments: 2.5'X8' MAIN ID SIGN LED INTERNALLY LIGHTED CUSTOM ALUMINUM POLE COVER NEW FOUNDATION, CONNECT TO EXISTING ELECTRICAL		



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