

**FINDINGS OF FACT  
DIMENSIONAL VARIANCE REPORT**

**APPLICANT:** BRUCE DIETZ – 400 W CHISHOLM ST  
**REQUEST:** DIMENSIONAL VARIANCE – SIGN SIZE  
**DISTRICT:** CCD  
**REVIEW DATE:** 5/31/2022  
**REPORT:** ZBA 22-03



**Summary of Request:** Applicant would like to construct a sign to showcase the proposed development of 400 W Chisholm and advertise available commercial real estate available. Proposed sign is 20’ wide x 8’ high with a total square footage of 160 sq ft, exceeding the max sign size of 80 sq ft.

The Zoning Ordinance currently states the following for Free-Standing Signs in the CCD:

- Size limitations apply to the sign face only, not the support structure.
- Freestanding signs shall be set back at least 2 feet from the property line and shall be centered as much as possible along the street frontage.
- For lots with more than 100 ft of frontage, a maximum 40 sq ft sign may be increased 1 sq ft for each 7 linear feet of frontage above 100 ft. Not to exceed 80 sq ft.
- For lots with at least 100 ft of frontage of each of 2 streets there may be 1 sign on each street. If sign is at an intersection of 2 streets, only 1 sign is permitted.
- Freestanding signs with a sign area of more than 40 square feet can be 6 feet tall and the height may be increased 1 ft for each additional 10 sq ft of sign area in excess of 40 sq ft.

**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. 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 property is an empty lot which consists of 4 parcels along Chisholm St. totaling 231 feet in road frontage. The current ordinance does not specifically address signage on vacant lots; while the above guidelines may be adequate for signs for operating businesses, it may not be adequate for the use proposed. A temporary sign is defined in our ordinance as 180 days (6 months) or less; expectation is that the sign would exist more than 180 days.

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## Planning, Development, & Zoning

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2. 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:** A smaller sign size could be used. Based on the size of the lot and the ability to see the details of the sign, it may be difficult while driving past or even walking on the sidewalk to read the sign. To prevent people from walking onto the property to view the sign, a larger sign size may be a better option. The site plans indicate placement of the sign with a 15' setback from South 5<sup>th</sup> Ave and Chisholm St; recommendation for approval is to center the sign along the street frontage as required by the ordinance.

3. 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:** Due to the size of the lot and the purpose of the sign, there is no effect regarding relief or injustice.

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

**ZA Response:** Need for variance is connected to size of lot, that the lot is vacant, and readability of the sign.

5. 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.

## ADDITIONAL NOTES

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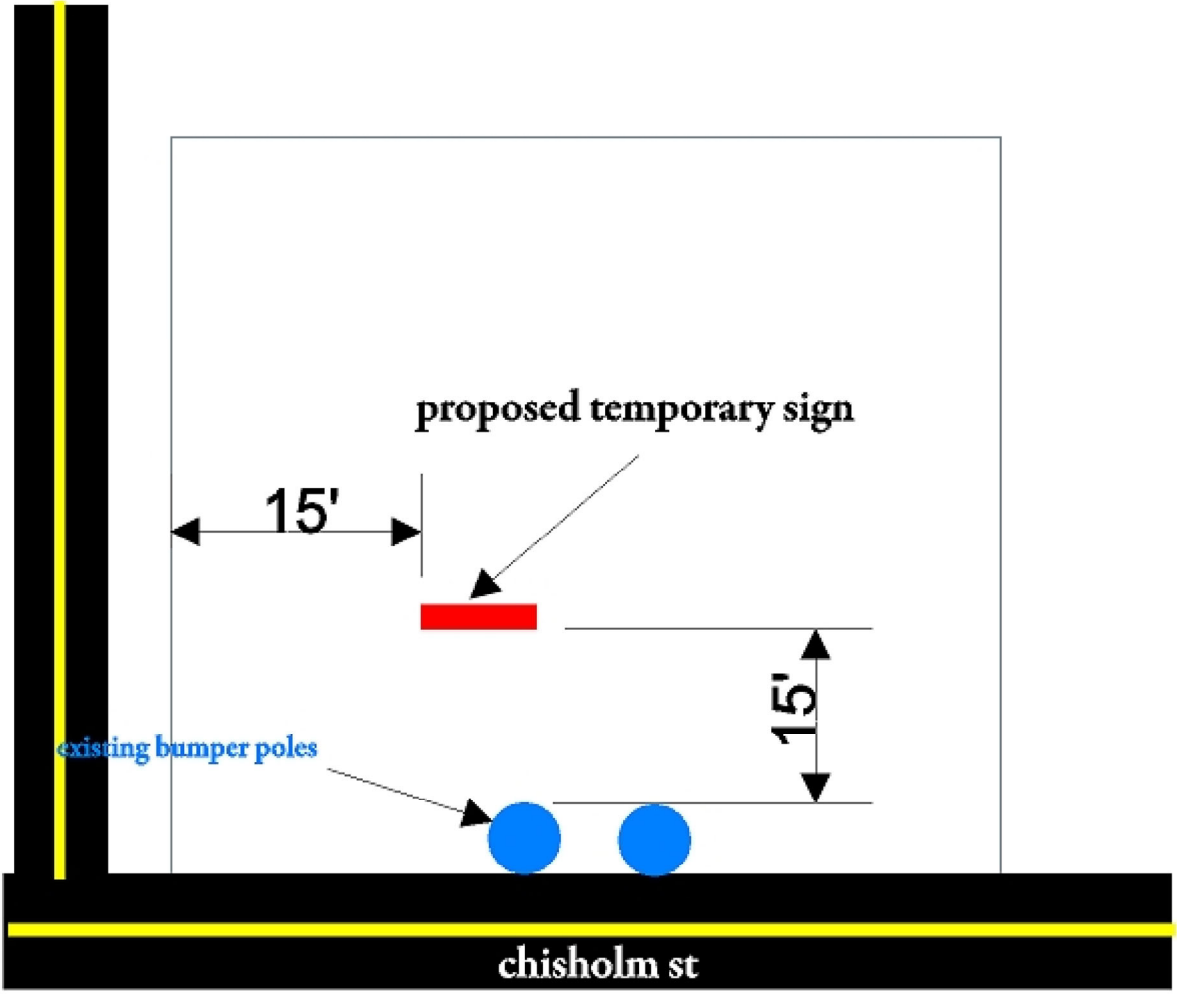
### Objections Received:

No objections to the variance request have been received.

Photos:





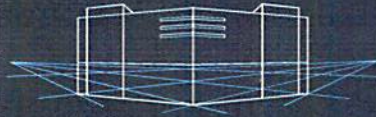




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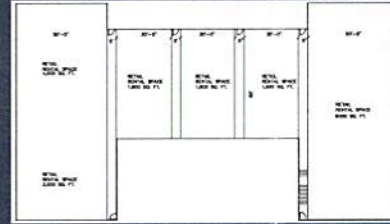


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**BRUCE DIETZ**  
DEVELOPER

DESIGN • BUILD • COMMERCIAL CONSTRUCTION



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