

OSHTEMO CHARTER TOWNSHIP
ZONING BOARD OF APPEALS

MINUTES OF A SPECIAL MEETING HELD MARCH 17, 2009

Agenda

BEST WESTERN - VALLEY CITY SIGN - SIGN DEVIATIONS - 2575 SOUTH 11TH STREET - (PARCEL NO. 3905-25-405-020)

A special meeting of the Oshtemo Charter Township Zoning Board of Appeals was held on Tuesday, March 17, 2009, commencing at approximately 3:00 p.m. at the Oshtemo Charter Township Hall.

MEMBERS PRESENT: Duane McClung
Dave Bushouse
Robert Anderson
Cheri Bell
Neil Sikora, Alternate

MEMBERS ABSENT: Roger Taylor
Mike Smith, Alternate

Also present were Mary Lynn Bugge, Senior Planner; James W. Porter, Township Attorney, and one other interested person.

Call to Order/Pledge of Allegiance

The meeting was called to order by Mr. McClung, the Vice Chair, and the "Pledge of Allegiance" was recited.

Election of Officers

Mr. McClung said the next item on the Agenda was the election of officers for 2009. Ms. Bell made a motion to nominate Duane McClung as Chairman. The motion was seconded by Mr. Anderson. The Vice Chairman asked if there were any other nominations, and hearing none, closed the nominations for Chairman.

Mr. McClung said he would entertain a motion for Vice Chair. Mr. Bushouse made a motion to nominate Robert Anderson as Vice Chair. The motion was seconded by Ms. Bell. Mr. McClung asked if there were any other nominations. Hearing none, he called for a vote on both motions for the offices of Chairman and Vice Chair, as submitted. The motions carried unanimously in favor of the officers submitted.

Minutes

The Chairman stated that the next item on the Agenda was the approval of the minutes of November 18, 2008. Ms. Bell noted, on page 5, paragraph 6, located in the middle of the page, that there is a reference to Mr. Anderson asking what percentage of the apartments were rented and inquiring whether the building was needed, when it was she who had asked. The Chairman asked if there were any other changes. Hearing none, Ms. Bell moved to approve the minutes, as revised. The motion was seconded by Mr. Anderson. The Chairman called for a vote on the motion, and the motion passed unanimously.

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The Chairman said the next item was a request for sign deviations for Best Western hotel submitted by Valley City Sign. The subject property is formerly known as the Hawthorn Suites located at 2575 S. 11th Street, Parcel No. 3905-25-405-020. The Chairman asked to hear from the Planning Department. Ms. Bugge submitted her report to the Zoning Board of Appeals dated March 17, 2009, and is incorporated herein by reference.

Ms. Bugge began by noting that the requests relating to the oversized pylon sign on the east side had been withdrawn from the application. Therefore, the request for a second pylon sign was not needed. Therefore, she said she would focus specifically on the other requested deviations, specifically, the west wall sign and the east wall signs. She said on the west wall, the applicant is requesting a height deviation of eight (8) feet. Ms. Bugge noted that on the east wall, a nine (9) foot height deviation for the Best Western sign was being requested, along with a .6 square foot sign area deviation. With regard to the LED message center on the east wall, the applicant is requesting an eight (8) foot height deviation and a 95 square foot deviation on the requested sign area size. Ms. Bugge then proceeded with her report, comparing and contrasting the proposed request to others which had been granted under previous Zoning Ordinance provisions.

At the conclusion of Ms. Bugge's report, the Chairman asked if there were any questions of Ms. Bugge. Hearing none, he asked to hear from the applicant.

Ms. Melanie Gray of Valley City Sign, on behalf of Best Western, introduced herself to the Board. Ms. Gray explained the two pylon signs were removed from their

proposal to bring the property more into conformance with the Township Zoning Ordinance. She said they needed the sign height increase, particularly on the east side of the building, in order to be visible from U.S. 131. She said she realized that the subject property did not abut U.S. 131, but was similarly situated to other hotels and motels in the area, and in order to be equally competitive, the deviations on height and size were necessary.

Ms. Gray then took the Board through a review of photographs showing the proposed signs on the subject building. Ms. Gray specifically noted the fact that, given the trees, as well as the other buildings fronting on U.S. 131, it was absolutely necessary to have the sign displayed on the fourth floor versus the third floor in order to be visible by the motoring public traveling on U.S. 131.

Ms. Gray also provided photographs to the Board of other hotels and motels in the area, reiterating the fact that she felt to be competitive with others bordering or near U.S. 131, the applicant needed the requested deviations. She did concede that on the front sign, there was not a compelling reason, other than aesthetics, that the sign needed to be located on the fourth floor level.

The Chairman asked if there were any questions of the applicant or Ms. Bugge.

Mr. Benson asked for a recap on the proposed deviations. Ms. Bugge directed him to page 2 of her report, specifically citing the request for the two wall signs on the east side of the building, as well as the one wall sign on the west side of the building.

The Chairman asked if there were any further questions. He noted that there was no public to comment, and therefore, asked for Board deliberations.

Mr. Anderson said he thought it was important for the applicant to be seen from the highway, and therefore, he would not object to the proposed height increases. The Chairman asked if that was on the highway side of the building. Mr. Anderson indicated it was.

Mr. Sikora said he thought the signs needed to be visible from the highway, but he was somewhat concerned by the fact that the subject property did not immediately abut the highway. Mr. Bushouse said, in the last few years, in his travels, many of the hotels and motels were not putting up large highway signs anymore, and he did not see a need for the sign deviations. He also noted that the Hotel could use the highway travel directory signs which were available to the motoring public on the interstate highways.

The Chairman said he, unlike Mr. Bushouse, did like to see the large signs to know where he was going when he left the interstate. Therefore, he felt that the signs were necessary.

Ms. Bell asked if the height provisions for signs had been increased. Ms. Bugge said that the wall sign height was increased to 30 feet just a couple of years ago. Ms. Bell expressed some concern about granting additional height deviations.

Ms. Gray asked if she could respond. She explained to the Board that, since they were not asking for a pylon sign on the east side, she thought what they were requesting, in the way of sign height deviation and area, was reasonable and would only match what the competitors already had in the area. Ms. Bugge pointed out that the applicant could utilize LED display in their pylon sign on 11th Street and on their wall signs as long as they met the permitted size.

Ms. Bell asked if they could take each request one at a time. The Chairman said he thought that would be appropriate. Ms. Bell said, given that they could have a LED display on the 11th Street sign, she certainly would not support adding 95 square feet of LED sign on the east side of the building. However, she noted that, given the topography and the Westwood Park buildings, she thought the fourth floor location for the sign on the east side of the building was appropriate.

Mr. Sikora asked if she would favor the LED sign. Ms. Bell indicated she would not. He asked if she would favor the requested height of the sign on the east side of the building, to which Ms. Bell indicated that she would.

Mr. Anderson said he agreed with Ms. Bell; he would approve the increased height and wall sign area on the east side, but not the LED sign.

With that, the Chairman said he would entertain a motion. Ms. Bell made a motion to permit one sign on the east wall of the subject building to have a nine (9) foot height deviation to 39 feet and a sign area of 69.6 square feet, but deny the LED sign on the east side of the building for the reasons stated in the record. The motion was seconded by Mr. Anderson. The Chairman called for a vote on the motion. The motion passed unanimously.

The Chairman asked about the height of the sign on the west wall. Mr. Anderson said he thought it looked better at the increased height. Ms. Bell said if the decision was based on symmetry, that would be true, but there were no justifiable reasons set forth in the record. Mr. Bushouse said he saw no reason to grant a deviation for the wall sign on 11th Street. Mr. Anderson made a motion to deny the request for an increase in wall sign height on the west side of the building, and leave it at 30 feet. Mr. Sikora seconded the motion. The Chairman called for further discussion, and hearing none, called for a vote on the motion. The motion passed unanimously.

Public Comment on Non-Agenda Items

None.

Adjournment

Hearing no further business, the meeting was adjourned at approximately 4:05 p.m.

Minutes Prepared:
March 24, 2009

Minutes Approved:
_____, 2009