

CITY OF IONIA
Zoning Board of Appeals
March 7, 2022
Regular Meeting Minutes

CALL TO ORDER

The regular meeting was called to order by Assistant to the City Manager Jonathan Bowman at 6:30 PM at Ionia City Hall.

ROLL CALL

Present: Members Logan Bailey, Mike Kirgis, Amanda Ondersma, Troy Waterman, and Alternate Board Member Lynn Lafler

Absent: Jim Denny

Also Present: City Manager Precia Garland, Assistant to the City Manager Jonathan Bowman, and representatives from Consume Cannabis Jacob Coward and Sean McKeon.

OATH OF OFFICE

Assistant to the City Manager Bowman administered the oath of office to new Zoning Board of Appeals Members Logan Bailey, Amanda Ondersma, and Lynn Lafler.

ELECTION OF OFFICERS

A. Chairperson

Member Waterman nominated Member Mike Kirgis to be Chairperson. Member Lafler seconded the nomination. MOTION CARRIED.

B. Vice-Chairperson

Member Waterman nominated Member Jim Denny to be Vice-Chairperson. Member Lafler seconded the nomination. MOTION CARRIED.

C. Secretary

Chairperson Kirgis nominated Member Troy Waterman to be Secretary. Member Lynn Lafler seconded the nomination. MOTION CARRIED.

APPROVAL OF AGENDA

Chairperson Kirgis introduced the agenda and asked if there were any requested changes. No changes were requested. It was moved by Member Waterman and seconded by Member Bailey to approve the agenda as presented. MOTION CARRIED.

APPROVAL OF MINUTES

Minutes from the meeting on September 13, 2021 were reviewed. It was moved by Waterman, seconded by Lafler to approve the minutes from September 13, 2021. MOTION CARRIED.

PRESENTATION

Assistant to the City Manager Bowman presented a board member training to remind the members of the key functions for the Zoning Board of Appeals, the standards that must be followed, and the rules of order for conducting a meeting that involves a variance request.

PUBLIC HEARINGS

Chairperson Kirgis opened the floor at 6:52 PM to receive comments on the request from DNVK3 LLC. located at 406 S. Steele Street, for the following non-use (dimensional) sign variance:

- A. A variance from Section 1284.16 that limits monument signs in the L-1 Light Industrial District to a maximum of 6 (six) feet. The applicant wishes to have a monument sign that is 10 (ten) feet tall and is therefore requesting a variance of 4 (four) feet.

Assistant to the City Manager briefly introduced what the requested variance included.

Representatives for the applicant provided comments on the variance request and the standards.

Chairperson Kirgis closed the Public Hearing at 6:57 PM.

PUBLIC COMMENTS

None.

OLD BUSINESS

None.

NEW BUSINESS

- A. 406 South Steele Street – DNVK3, LLC. (Consume Cannabis) Request for Non-Use (Dimensional) Sign Variance

A variance from Section 1284.16 that limits monument signs in the L-1 Light Industrial District to a maximum of 6 (six) feet. The applicant wishes to have a monument sign that is 10 (ten) feet tall and is therefore requesting a variance of 4 (four) feet.

Assistant to the City Manager Bowman introduced the variance and provide comments on all of the associated standards. Information on past variances was presented to the Board for consideration.

The Board discussed the variance request and reached the following conclusions on each of the standards.

Section 5.185(3)(h) - General Standards

All ZBA variances must meet the following general standards; meaning, if granted, the variance will not:

- a. Impair an adequate supply of light and air to adjacent property.
- b. Unreasonably increase the congestion in public streets.
- c. Increase danger of fire or endanger public safety.
- d. Unreasonably diminish or impair established property values within the surrounding area, and
- e. Impair the public health, safety, comfort, morals, or welfare of the inhabitants of the City of Ionia.

Member Waterman spoke on behalf of the board that the general standards have been met.

Non-Use Variance Standards

Standard 1: That there are exceptional or extraordinary circumstances or conditions applying to the property in question that do not apply generally to other properties in the same zoning district.

The Board discussed that due to the retail use in an I-1 zone, which presents extraordinary challenges for visibility, it was believed that this standard was met.

Standard 2: That the condition or situation of the specific piece of property for which the variance is sought is not of so general or recurrent nature as to make reasonably practical the formulation of a general regulation for such conditions or situations.

It was determined that the property location is unique with the curve in the road and visibility challenges to Dexter.

Standard 3: That such variance is necessary for the preservation and enjoyment of a substantial property right similar to that possessed by other properties in the same zoning district and in the vicinity. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance.

The Board agreed that this standard is met when considering the size other signs and granted variances within the general vicinity of this property.

Standard 4: The variance will not be significantly detrimental to adjacent property and the surrounding neighborhood.

This standard was not a concern for the Board. No detriments were noted.

Standard 5: The variance will not impair the intent and purpose of this Ordinance.

Members of the Board did not believe this standard was an issue. No impairments were noted.

Standard 6: That the immediate practical difficulty causing the need for the variance request was not created by action of the applicant.

The Zoning Board of Appeals reviewed the standard and thought it was met. It identified immediate practical difficulties caused by the unique visibility issues of this site and the general non-commercial/industrial zoning, which makes retail use less common.

Moved by Board Member Bailey and seconded by Board Member Waterman to grant a variance from Section 1284.16 that limits monument signs in the L-1 Light Industrial District to a maximum of 6 (six) feet and allow a 4 (four) feet variance for DNVK3 LLC at 406 S. Steele Street. This approval is based on the findings that the non-use variance complies with the General Standards of Section 5.185(3)(h) and the six non-use standards, as detailed and discussed above. MOTION CARRIED.

MEMBER COMMENTS

None.

ADJOURNMENT

Motioned by Waterman, seconded by Ondersma to adjourn the meeting at 7:40 PM. MOTION CARRIED.

Respectfully Submitted:

Precia Garland, Recording Secretary,
for Troy Waterman, Secretary