

CITY OF HUDSONVILLE

Zoning Board of Appeals

September 16, 2014

(Approved November 18, 2014)

FORMAL: **Approval of the July 16, 2014 Zoning Board of Appeals minutes**
4235 Corporate Exchange Drive – Manufacturers Supply Company –
Dimensional Variance
4130 32nd Avenue – Wenzel & Ferris Holding LLC - Dimensional Variances

INFORMAL: None

Present: VanDenBerg, Lubbers, Herweyer, Leerar, Hanson, Strikwerda and Schut

Absent: Vander Maas

FORMAL SESSION:

1. Chairman VanDenBerg called the meeting to order at 7:00 p.m.
2. A motion was made by Lubbers, and supported by Herweyer to approve the July 15, 2014 meeting minutes.

Yeas 5, Nays 0

3. **4235 Corporate Exchange Drive – Manufacturers Supply Company – Dimensional Variance**

Chairman VanDenBerg opened the public hearing.

Lon Tiffany from Dan Vos Construction Company representing Manufacturer’s Supply Company presented the request for a dimensional variance as shown on the table below in accordance with the City of Hudsonville Zoning Ordinance. In 2007, the applicant received approval for a 44’ building height for their existing building on this property. They constructed a 38’ tall building. Jim Mol from Manufacturer’s Supply Company was also present.

Here is the proposed variance:

<u>4235 Corporate Exchange Drive</u>	Existing Regulation	Proposed Regulation	Variance Required
Building Height per Section 5-20 F. 3.	35’	38’	3’

The staff report was presented. The applicant received site plan approval for this building addition. One of the conditions was that a variance is required for the building height.

Chairman VanDenBerg closed the public hearing.

Are there unique circumstances or conditions that apply to your property? Yes

- It is an uneven lot.
- It is a large open parcel at the end of a cul-de-sac with a lot of buffering due to surrounding wetlands and ravines which take up about 28% of the lot.
- The building is not near any lot lines or other buildings, minimizing any negative affect on neighboring properties.
- There is also extensive landscaping and berming.

Does the request of this variance go beyond the possibility of increased financial return for you, the applicant? Yes

- The proposed addition will match the existing building height that received a variance.
- They are also making other concessions such as greater building setbacks and reducing their building footprint due to the additional height.

Has the immediate practical difficulty been caused by anything other than what the applicant has done? Yes

- The lot is uneven.
- They are matching their existing building of 38' in height.

Will granting this variance uphold the spirit of the ordinance, secure public safety, and uphold substantial justice to property owners in the district? In turn, will denying this variance prevent you, the applicant, substantial rights and privileges that others in the same zoning district are able to enjoy? No

- It is a minor variance of only 3'.
- The I-2 Zone District requires additional buffering for added height.
- This addition is farther from the lot line than the existing building.
- This addition is not near other buildings.

Have you explored all possible alternatives? Please explain/list other alternatives and the reasons why these options are not feasible. Yes

- They are matching their existing building so it blends in and looks like it has always been there.

A motion was made by Leerar, with support by Lubbers, to approve the 3' dimensional variance for a 38' tall building for this addition at 4235 Corporate Exchange Drive where 35' is permitted according to City of Hudsonville Zoning Ordinance Section 5-20. F. 3.. This approval is based on the finding that the 5 questions are answered affirmatively for the revised

building setback in accordance with Section 16-5 G of the Hudsonville Zoning Ordinance.

Yeas 5, Nays 0

4. 3140 32nd Avenue – Wenzel & Ferris Holding LLC - Dimensional Variances

Chairman VanDenBerg opened the public hearing.

Paul Kovalak from City Sign Erectors reviewed the request for Todd Wenzel Chevrolets two dimensional variance requests as shown on the table below in accordance with the City of Hudsonville Zoning Ordinance. The first request is to allow a larger freestanding sign. The second request is to allow for a second freestanding sign for the car wash. Todd Wenzel owner of Todd Wenzel Chevrolet and Todd Halsey, Service & Parts Director were also present.

Here are the proposed variances:

	<u>4130 32nd Avenue</u>	Existing Regulation	Proposed Regulation	Variance Required
A	Number of Freestanding Signs: Section 7-9 E. 2.	1	2	1
B	Larger Freestanding Sign: Section 7-9 E. 2., Table 7.3	70 s.f.	80 s.f.	10 s.f.

The staff report was presented.

The following discussion took place.

- Most businesses do not have a large manufacturing company dictating what type of sign is required to sell their product. They are not allowed to make any alterations to it, including combining the two signs.

Variance “A”:

- Would the changeable message sign be dedicated to the car wash? Yes.
- How important is the changeable message sign? This would help to generate more business and would help distinguish between the two businesses.
- How many signs are at the existing property on Highland Drive? 3, with variance approval.
- GM won’t let you modify this sign in any way? No, not if we want to sell certified used vehicles, which is what we sell.

Variance “B”:

- What is the planned height for the sign (B)? 28 feet.

- Will the second sign have any electronic messages section on it? No, the General Motors sign is tightly regulated by GM it will not have any banners either.
- In order to sell GM certified used vehicles they require their GM certified sign.

Chairman VanDenBerg closed the public hearing

Are there unique circumstances or conditions that apply to your property?

- A. No.
- It is common for there to be more than one business on a parcel that need to share freestanding sign space.
- B. Yes.
- The sign that has been submitted is 75.47 s.f. so it is a minor variance of only 5.47 s.f. or about 8%.
 - Harvest Health on the adjacent lot to the north received a variance to allow for an 88 s.f. sign. They are permitted 60 s.f. by right due to their smaller lot versus the 70 s.f. permitted for the applicant on their larger lot.
 - The proposed sign is smaller than the sign Harvest Health received a variance for.

Does the request of this variance go beyond the possibility of increased financial return for you, the applicant?

- A. Yes.
- Their purpose is to distinguish the two businesses, which does have increased financial return
 - The main goal is to educate the public that the car wash is for everyone, not just Todd Wenzel's customers.
- B. Yes.
- There are certain custom sign sizes they can use.
 - There is some financial return in that they want to reuse an existing sign currently located at their Highland Drive location.
 - The main goal is to make sure the public has a reasonable chance to spot their business in relation to the other businesses that have freestanding signs.

Has the immediate practical difficulty been caused by anything other than what the applicant has done?

- A. No.
- The building is set up for auto sales and a car wash. The property was purchased for auto sales.
 - The applicant wants to operate them as two separate businesses.
 - There are things they could do to make the two businesses distinctive that they are not doing, such as more distinctive building design and wall signage.

B. Yes.

- The applicant wants to use a Chevrolet Corporation sanctioned sign size.
- The next size down is less than half the size of the Harvest Health sign and so it would not stand out very well for letting the motoring public be aware of their business.

Will granting this variance uphold the spirit of the ordinance, secure public safety, and uphold substantial justice to property owners in the district? In turn, will denying this variance prevent you, the applicant, substantial rights and privileges that others in the same zoning district are able to enjoy?

A. No.

- There are other properties that have multiple businesses and only one freestanding sign.
- This could be a dangerous precedence if this were to be approved.

B. Yes.

- The adjacent lot to the north, which is permitted a smaller freestanding sign size received a variance for a sign that is larger than this request (88' versus 75.47 s.f.)

Have you explored all possible alternatives? Please explain/list other alternatives and the reasons why these options are not feasible.

A. No.

- One alternative is to reduce the size of the Wenzel Used Cars freestanding sign and create a sign that has both businesses listed on it. General Motors Chevrolet will not allow that.
- They are also altering the building design so the car wash portion of the building matches the rest of the building.
- They could make this part of the building stand out more by a different building design.
- These are two alternatives they could help with their main concern of wanting the public to know the car wash is separate from the used car dealership.

B. Yes.

- They want to use an existing sign.
- There are alternatives, but the proposed sign is only an additional 5.47 s.f. beyond the 70 s.f. permitted by right. The other alternative could be to reduce the size and allow additional signage for the car wash, but General Motors Chevrolet will not allow that.

A. A motion was made by Leerar, with support by Herweyer, to deny dimensional variance for two freestanding signs for 4130 32nd Avenue where one freestanding sign is the maximum allowed for one parcel according to City of Hudsonville Zoning Ordinance Section 7-9 E. 2. This denial is based on the finding that the 5 questions are not answered affirmatively for a second freestanding sign in accordance with Section 16-5 G of the Hudsonville Zoning Ordinance. Also, to allow directional signs up to 8 s.f., working with the Planning Department.

- B.** A motion was made by Leerar, with support by Lubbers, to approve the 5.47 s.f. dimensional variance for a 75.47 s.f. freestanding sign for 4130 32nd Avenue where 70 s.f. is the maximum allowed according to City of Hudsonville Zoning Ordinance Section 7-9 E. 2., Table 7.3. This approval is based on the finding that the 5 questions are answered affirmatively for a larger freestanding sign in accordance with Section 16-5 G of the Hudsonville Zoning Ordinance.

Yeas 5, Nays 0

INFORMAL SESSION:

- 5.** A motion was made by Leerar, and supported by Herweyer to adjourn at 8:05 p.m.

Yeas 5, Nays 0

Respectfully Submitted,

Teri Schut
Planning & Zoning Assistant