

CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting July 25, 2016

MEMBERS PRESENT:

John Byrnes, Jeffrey Bright, Chadwick Learned, Jay Eichstaedt, Alexander Philipp, Randall Schau and Michael Robbe.

MEMBERS EXCUSED:

Phillip Schaefer, Lowell Seyburn.

IN ATTENDANCE: Jeff Mais, Zoning & Codes Administrator, Kyle Mucha, Zoning & Codes Administrator, Charlie Bear, Assistant City Attorney

APPROVAL OF MINUTES: July 11, 2016 meeting minutes approved as submitted

NEW BUSINESS:

ZBA #16-3, David Riley, RAI AZO, LLC, 5825 and 5901 Willoughby Drive: Requesting a variance to erect three (3) 300 square-foot wall signs, where one (1) wall sign up to 100 square feet is permitted. Mr. Riley stated he did not intend the signs to serve a way finding purpose so much as be visible to people using the airport. Mr. Riley also stated the suggestion of three (3) 150 square foot signs was agreeable to him, should the board decide to grant the variance.

A public hearing was opened. No one spoke for or against the variance. The public hearing was closed.

Learned stated allowing three (3) 300 square-foot signs may set a bad precedent for future applicants. Eichstaedt stated he understood the intent of these large signs being “attention grabbers” for those traveling in/out of the Kalamazoo Airport, and that most citizens may not notice the signs due to the speed and height of the incoming aircraft. Schau inquired where staff came up with the suggested 150 square foot signs. Mais stated that would be the permissible area for a single wall sign on the applicant’s building if it were located in a commercial zone. A motion was made by Eichstaedt, seconded by Byrnes, to grant a variance from Section 42-553(A)(2) to allow three (3) 150 square-foot wall signs, where one (1) wall sign up to 100 square feet is permitted, for the following reasons; there are exceptional circumstances or conditions applying to the property that do not apply generally to other properties in the same zoning district which include the location of the business, the limited number of possible locations for the business, and the right to advertise to customers; the immediate practical difficulty causing the need for the variance was not caused by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood; and the variance will not materially impair the intent and purpose of the zoning ordinance. In addition, the application and supporting material, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and action of the Board be final and effective immediately. Upon roll call vote; Robbe – No; Byrnes – Yes; Phillip – Yes; Bright – Yes; Learned – No; Eichstaedt – Yes; Schau – Yes. Motion passed 5-2.

OTHER BUSINESS:

STATEMENT OF CITIZENS:

ADJOURNMENT:

There being no further business, the meeting was adjourned at 7:45pm.

Respectfully submitted,

Jeff Mais
Zoning & Codes Administrator

