

These minutes are subject to formal approval by the Wyoming Zoning Board of Appeals at their regular meeting on February 16, 2015.

MINUTES OF THE WYOMING BOARD OF ZONING APPEALS
HELD AT WYOMING CITY HALL

February 2, 2015

The meeting was called to order at 1:30 P.M. by Chairman VanderSluis.

Members present: Beduhn Dykhouse Palmer
 Postema VandenBerg VanderSluis

Member absent: Lomonaco

Other official present: Tim Cochran, City Planner

A motion was made by Palmer, and seconded by Dykhouse to approve the minutes of the January 19, 2015 Board of Zoning Appeals meeting.

Motion carried: 6 Yeas 0 Nays

PUBLIC HEARING:

Appeal #V150001 P.P. #41-17-13-101-042
Kentwood Community Church
2850 Clyde Park Ave. S.W.
Zoned FBC

The application requesting variances from the City of Wyoming Zoning Code was read by Acting Secretary Palmer as follows:

Zoning Code Section 90-798 Signs in Residential Districts specifies that places of worship are permitted a ground sign not to exceed 60 square feet and 8 feet in height. In addition, the ordinance specifies that the maximum moving image area within the sign may not exceed 40 percent of the total sign area. The petitioner desires to erect a ground sign 69.33 square feet in area, 8.67 feet in height, with a 46 percent moving image sign area. The petitioner requests variances to allow an additional 9.33 square feet of sign area, an additional 0.67 feet of sign height, and an additional 6 percent of moving image sign area.

Chairman VanderSluis opened the public hearing.

Rich Mate, Johnson Outdoor Digital, explained his background with Wyoming. The current signage is from the previous use. The new sign for Kentwood Community Church – Wyoming Branch is just a little larger than the City’s ordinance allows, but it would maintain the same concept. The church was bequeathed the property, and the sign will be built from available inventory.

There being no further remarks, Chairman VanderSluis closed the public hearing.

Cochran told the Board members the sign would be an improvement to the property. The existing pylon sign is non-conforming. The building had been used as a school, which had been exempt from the City's Zoning Code as pylon signs were not allowed in residential zoned areas. The property is adjacent to commercial properties. The variance for the size of the proposed sign would be minor. The sign will look like it was in conformance. City staff had proposed the following Finding of Facts in support of the variance request:

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or class of use in the same vicinity and district because Prior to the Kentwood Community Church acquiring the property, this site was owned and used as an educational facility by the Wyoming Public School District. Schools, by State Law, are exempt from most local Zoning Code requirements. During the school districts use, a pylon sign was erected on this residentially zoned property without a permit by the City. Pylon signs are not permitted by the Zoning Code in residential districts in the City. Since the establishment of the church, the pylon sign has been wrapped by temporary fabric to identify the church.

The church has obtained a donated moving image display that they wish to incorporate into a ground sign. By ordinance, ground signs are limited in a residential district to 60 square feet, 8 feet in height, with no more than 40% of the sign area being a moving image. In order to balance the 32 square foot moving image display with the church identification message and the parameters of the Zoning Code, the resulting proposed sign is slightly larger (69.33 square feet), slightly taller (8.67 feet), with also a slightly larger (46%) moving image display than permitted by ordinance. Properties to the west and north of this property are zoned commercial and incorporate pylon signs. Ground signs in commercial districts may be 75 square feet and 12 feet in height. The replacement of the existing pylon sign with a ground sign will remove a nonconforming sign structure from the site. The granting of the minor size, height and display variances will be indiscernible.

2. That such variance is necessary for the preservation and enjoyment of substantial property rights because the utilization of the moving image display on the ground sign will allow activities and events of the church to be communicated to their parishioners and the general public.
3. That the granting of such variance will not diminish the marketable value of adjacent land and improvements, or unduly increase congestion in the public streets because the proposed sign is an improvement over the existing pylon sign and continues the church's investment in upgrading this property. No diminishment of marketable value will occur to neighboring properties, nor will traffic congestion increase on Clyde Park Avenue.
4. That the condition or situation of a specific piece of property, or the intended use of said property, for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation because the replacement of a non-conforming pylon sign with a ground sign is of benefit to the community. This residential property abuts commercial properties. This is not a general situation.

A motion was made by Vandenberg and seconded by Beduhn that the request for a variance in application no. V150001 be granted, accepting staff's Finding of Facts.

Motion carried: 6 Yeas 0 Nays (Resolution #5573)

There were no public comments at the meeting.

The new business items were discussed by Cochran and the Board members.

Canda Lomonaco
Secretary

CL:cb