

Zoning Board of Appeals

Regular Meeting Minutes

Monday, February 25, 2013
7:00 p.m., Council Chambers



City of South Haven

1. Call to Order by Chair Ingersoll at 7:00 PM.
2. Roll Call

Present: Boyd, Lewis, Paull, Ingersoll, Wheeler, Wittkop.
Absent unexcused: Miller.
Also present: Linda Anderson, Zoning Administrator

3. Approval of Agenda: All ayes
4. Approval of Minutes – January 28, 2013: All ayes
5. No public comment was received.

NEW BUSINESS –Variance Request

6. The Historic Association of South Haven requested a variance to place a freestanding identification sign on their property at 353 Hubbard Street. This type of sign is not permitted in the R-1B zoning district per zoning ordinance section 2008-1. The parcel number for the applicant property is 80-53-548-008-00.

Anderson introduced the request.

Motion by Lewis, support by Wittkop to open the public hearing. All ayes.

Boyd asked if the Historical Association charges admission. The applicant, Ed Appleyard, replied that they accept donations but do not have an admission fee. Boyd questioned how this use is different from a business which would need to comply with strict sign rules. He asked if a business could install a sign as requested here. Anderson explained that different zoning districts have different sign regulations and few, if any, businesses are located in residential zoning districts. The exception being certain home occupations.

Boyd stated that some businesses have sandwich board signs that are taken in at night. He questioned if that was an option here. Anderson stated that sandwich board signs are not permitted in the residential zones. If that was requested, a variance would be needed.

Boyd asked if the matter could be referred to the planning commission with a request to amend the zoning ordinance to allow certain nonprofit identification signs in residential zones. Ingersol stated that the role of the ZBA is to provide relief from zoning regulations, when applicable. He further stated that a zoning ordinance amendment would take several months, creating an unnecessary hardship for the applicant.

Motion by Lewis, supported by Wheeler, to close the public hearing. All ayes.

Ingersol stated that this is a situation common in the city and many such signs are found in residential zones. The common thread is that the uses with the signs are non-profit or governmental land uses. He believes this use is similar to other such uses and the sign should be permitted. He further stated that the use is a public asset and provides a public service to the community.

There was a discussion regarding the request and compliance with all the standards of zoning ordinance section 2205. Following that discussion there was a motion made by Paull, supported by Wheeler, to approve the request based on the fact that all standards of section 2205 were met. A condition was placed on the motion that the sign be placed back on the property so as not to interfere with clear vision. Before the sign is installed, the zoning administrator will meet on site with the applicant to establish the appropriate setback for the sign.

Ayes: Lewis, Apotheker, Paull, Wheeler, Wittkop.
Nay: Boyd

A second motion was made by Lewis, supported by Boyd, to request that the planning commission look at this issue when considering amendments to the zoning ordinance. All ayes.

7. There were no member comments.
8. Motion by Wittkop, supported by Paull, to adjourn the meeting at 8:45 PM. All ayes.

RESPECTFULLY SUBMITTED,

Linda Anderson
Zoning Administrator