

**ADA TOWNSHIP ZONING BOARD OF APPEALS
MINUTES OF THE TUESDAY, MAY 28, 2019, SPECIAL MEETING**

A special meeting of the Ada Township Zoning Board of Appeals was held on Tuesday, May 28, 2019, 4:30 p.m., at the Ada Township Office, 7330 Thornapple River Drive, Ada, Michigan.

CALL TO ORDER

The meeting was called to order by Chair Dixon at 4:30 p.m.

ROLL CALL

Members present: Dixon, Burton, McNamara, Nuttall and Smith

Members absent: None

Staff Present: Bajdek, Ferro, Winczewski

Public: 1 Community member

APPROVAL OF AGENDA

Dixon noted that the agenda incorrectly states a meeting time of 4:00 P.M. when it should read 4:30 P.M.

Moved by Smith, supported by Burton, to approve the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

Moved by Smith, supported by McNamara, to approve the May 7, 2019, minutes as presented. Motion carried unanimously.

OLD BUSINESS

None.

NEW BUSINESS

- 1. Request for variance from Article XXVI, Signs for C-2 General Business District Wall Signage, to allow:**
 - **(2) wall signs instead of the permitted one (1) wall sign per business, and,**
 - **from the maximum area of 40 sq. ft. to 112 sq. ft. for one (1) sign, for a total of 136 sq. ft. for the business.**

Jeremy Mertz of Poblocki Sign Company on behalf of Mercy Health, 6741 E. Fulton, Parcel no. 41-15-28-330-004

Mr. Mertz, representing Mercy Health, clarified to the Board that their main priority is a larger Mercy Health sign. They are willing to keep the address sign at the regulated size limits. There are separate business units

under the Mercy Health umbrella in the building: Advent Physical Therapy, Mercy Health Physician Partners, and Labs/Imaging. They would like a single sign instead of multiple signs. If the current size/layout is not acceptable to the ZBA, they ask for any special consideration to work with them for a sign that is a little bit larger than 40 sq. ft.

Mr. Mertz stated that although there's only 1 entry door to the building, it could be developed into 10 units with 10 different signs on the front of the building. They would prefer to have only 1 sign and the more visible the sign can be, the better for the patients.

Planner/Zoning Administrator, Bajdek, gave a summary of the applicant's request. Bajdek stated the Mercy Health building is a 2-story building and part of the Ada Hillside Center. It is zoned C-2, General Business PUD and is comprised of 2 parcels with separate ownerships. Mercy Health will be occupying the recently constructed building in its entirety.

Bajdek stated signage was not addressed at the time of the initial Ada Hillside Center PUD approval, which means conventional C-2 signage regulations apply. The "wood posts/vertical columns" on the upper level of the elevation area where the 'Mercy Health' sign is proposed to be mounted on, were purposely planned to directly tie into the architecture, material, texture and color of the existing buildings.

Bajdek stated that 2 wall signs are proposed for the building as already stated by the applicant. Per the C-2 sign regulations, 1 wall sign is permitted per business subject to the following size limits:

- a. For a business having 1,200 square feet or less of floor area, a maximum of 24 square feet.
- b. For a business having over 1,200 square feet of floor area, the lesser of 1 square foot per 50 square feet of building floor area occupied by the business or 40 square feet. *This provision applies.*

Bajdek stated this building was previously approved by the Planning Commission as a 10-unit building, each unit being approximately 1,250 square feet. If there were 10 separate units there would be 25 square feet of wall signage allowed per business.

Bajdek stated the Zoning Board of Appeals may grant variances only upon finding that the following criteria has been satisfied:

1. Whether unique physical circumstances exist which cause a "practical difficulty" in complying with the Zoning Ordinance standards.

No unique physical circumstances exist, which cause a "practical difficulty" in complying with the Zoning Ordinance standards. It appears that the placement of wall signage on the subject building that meets Zoning Ordinance standards would be easily viewable and legible from E. Fulton Street/M-21, as are existing wall signs in the Ada Hillside Center that are less than 40 sq. ft. in area.

2. Whether granting the variances would alter the essential character of the area.

The granting of the variances would alter the essential character of the area. Bajdek referenced Sec. 78-741 Description and purpose, Article XXVI Signs of the Zoning Ordinance, stating that the erection of signage shall be consistent with the purposes outlined in the ordinance. The proposed 'Mercy Health' sign is not consistent with the purposes and would be substantially larger than wall signage permitted and currently present within the Township.

3. Whether the circumstances leading to the variances are self-created.

Circumstances leading to the variances are not self-created.

4. Whether amending the Zoning Ordinance standards is a more appropriate remedy to the situation.

Amending the Zoning Ordinance standards is not more appropriate.

Bajdek stated that due to the lack of unique physical circumstances, a “practical difficulty” in complying with the Zoning Ordinance standards does not exist. It is also Staff’s opinion that the proposed signage would alter the essential character of the area. Denial of the request by the Zoning Board of Appeals is recommended.

Chair Dixon opened the floor for public comments. There were no public comments.

Mr. Poblocki stated he feels the request is not going to be approved but asks for a slightly larger sign. He stated that if the request is not approved, Mercy Health will come back and ask for 2 or 3 more signs, one for each business unit.

Smith asked if the building next door which includes Ada Eyecare, Edward Jones, etc. has signage that meets the current sign ordinance. Bajdek answered yes. Smith stated that when she was visiting a business across the parking lot, she read those signs and did not have any problems seeing them at the regulated sizes. Smith asked Mr. Poblocki if the logo could be smaller and the letters could be larger in order to fit the 40 square feet maximum. Mr. Poblocki stated Mercy Health which is part of Trinity Health is very strict on their proportions and that would not work.

McNamara stated there could be 10 separate signs in this building if there are 10 different businesses. Bajdek stated that is true, however, in this case, Mercy Health and the entities in this building are operating as a single business.

Smith asked if Mercy Health will be included on the free-standing sign near Fulton St. Bajdek stated yes. Bajdek also noted that Spectrum Health, nearby but in a separate district, has 2 signs and each one is 40 square feet.

Dixon stated that speculating the number of tenants and the potential of additional signs is not a good reason for a larger sign. The Township has been strict with signs to make sure they are not overwhelming. He also feels there is not a hardship in this case.

Moved by Burton, supported by Nuttall, to deny the variance request.

Motion carried unanimously.

CORRESPONDENCE

No correspondence was received.

BOARD MEMBER/STAFF REPORTS

Bajdek reminded the Board that due to a lack of agenda items, there will not be a ZBA meeting on June 4th as previously scheduled.

PUBLIC COMMENT

There were no public comments.

ADJOURNMENT

Moved by Smith, supported by McNamara, to adjourn at 5:00 P.M. Motion carried unanimously.

Respectfully submitted,

Jacqueline Smith
Ada Township Clerk