



## **AGENDA – ZONING BOARD OF APPEALS**

April 27, 2023  
5:30 PM

- I. Call to Order**
  - II. Pledge of Allegiance**
  - III. Roll Call**
  - IV. Adoption of April 27, 2023 Agenda**
  - V. Review of March 23, 2023 Meeting Minutes**
  - VI. Public Comment and Correspondence**
  - VII. Public Hearings**
    - A. 1224 Greenwood Avenue (Parcel #3-21950) – Use variance from Section 28-71 to permit first floor residential use of an existing structure the C-2, Community Commercial zoning district.**
    - B. 1250 Jackson Crossing – Burlington (Parcel # 2-2469.5)**
      - 1. Dimensional variance from zoning ordinance Section 28-253(l) for installation of a 189 square-foot wall sign on the northern façade.
      - 2. Supplemental variance from zoning ordinance Section 28-253(j) to permit installation of a temporary banner on the northern façade for nine (9) months.
  - VIII. Old Business**
  - IX. New Business**
  - X. Board Member Comments**
  - XI. Next Meeting Reminder**
    - A. Regular Meeting May25, 2023 at 5:30 PM
  - XII. Adjournment**
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## MINUTES – ZONING BOARD OF APPEALS MEETING

5:30 PM March 23, 2023

MEMBERS PRESENT: Shawn Christie, Clyde Mauldin, Bob VanSumeren, Karl Grieve, and Peter Mulhearn

MEMBERS ABSENT: None

STAFF PRESENT: Chris Atkin

### I. Call to Order

Chairperson Christie called the March 23, 2023 ZBA meeting to order at 5:30pm.

### II. Pledge of Allegiance

### III. Roll Call

### IV. Adoption of Agenda

*Board Member Grieve moved to approve the March 23, 2023 Zoning Board of Appeals meeting agenda as presented. Motion supported by Board Member Mauldin.*

***Motion passed unanimously by voice vote.***

### V. Minutes of the February 23, 2023 Regular Meeting

*Board Member Mauldin moved to adopt the February 23, 2023 Zoning Board of Appeals meeting minutes as presented. Motion supported by Board Member VanSumeren.*

***Motion passed unanimously by voice vote.***

### VI. Public Comment and Correspondence

No public comments or correspondence regarding a non-agenda items was received by staff.

### VII. Consideration of variance request

**A. 209 N. Blackstone** – Dimensional variance request from the installation height for the top of a projecting sign to be greater than the bottom of the second floor, as permitted in zoning ordinance Section 28-253(h).

Planner Atkin summarized the applicant's dimensional variance request.

*Board Member Grieve moved to enter the staff report into the record as if read in whole. Motion supported by Board Member Mauldin.*

***The motion passed unanimously by voice vote.***

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*Chairperson Christie opened the public hearing at 5:35pm.*

**APPLICANT/PUBLIC COMMENTS**

Applicant Pete Schwiegeraht addressed the Board and provided additional detail of the proposed sign.

Sheryl Mull, owner of 310 W. Louis Glick Hwy, was concerned about the sign being lighted and causing disruption for her tenants during the night.

Mr. Schwiegeraht stated the sign will not be lighted.

*Chairperson Christie closed the public hearing at 5:35 pm.*

**MEMBERS COMMENTS**

Member Mauldin spoke in favor of granting the dimensional variance request.

Member Grieve also spoke in favor of granting the dimensional variance request.

*Board Member Grieve motioned, to approve the dimensional variance requests from zoning ordinance Section 28-253(h) at 209 N. Blackstone St. to permit the installation height for the top of a projecting sign not greater than sixteen (16) feet above the bottom of the second floor. The dimensional variance shall apply only to the new parcel number assigned by the Assessing Department. Motion supported by Board Member Mulhearn.*

***Motion passed by 5-0 roll call vote.***

**VIII. Old Business**

None.

**IX. New Business**

**A. Administrative Decision Appeal**

Planner Atkin summarized the reason(s) for denying the applicant's request to install a projecting sign on a structure in the R-4 zoning district.

**MEMBERS COMMENTS**

Member Grieve stated if the request is not permitted by ordinance then the Board cannot reverse or modify the administrative decision.

Member Mulhearn asked if there were more to the applicant's original request. Staff explained there was not.

*Board Member Grieve moved to affirm in whole the administrative decision. Motion supported by Board Member VanSumeren.*

***Motion passed by 5-0 roll call vote.***

**X. Board Comments**

None

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**XI. Next Meeting Reminder**

*Chairperson Christie reminded the Board the next scheduled meeting on April 27, 2023 at 5:30 pm.*

**XII. Adjournment**

*Board Member Grieve moved to adjourn the meeting at 5:59 pm. Motion supported by Board Member VanSumeren.*

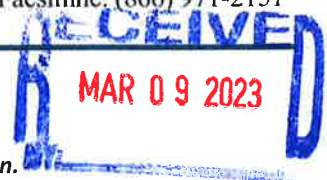
***The motion passed unanimously by a voice vote.***

Respectfully,



Christopher M. Atkin  
Planning Director, City of Jackson

DRAFT



**Application for Variance**

*Requires a public hearing before Zoning Board of Appeals.*

*The variance fee of \$500.00 must be submitted with the application.*

Instructions and additional information on Page 2 and Page 3

Type/Nature of Appeal:  Dimensional  Supplemental  Use  Interpretation of Code/Map (\$250.00)

**APPLICANT**

Name: Rodney Hamilton Investments  
Address: PO Box 132  
City: Jackson State: MI Zip: 49204  
Phone: ( 517 ) 750-7720  
Email: Rodneyhamiltoninvestments@gmail.com

**PROPERTY OWNER**

Same as applicant

Name: \_\_\_\_\_  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_  
Phone: ( \_\_\_\_\_ ) \_\_\_\_\_  
Email: \_\_\_\_\_

**ADDRESS SUBJECT TO VARIANCE REQUEST**

Property Identification #: 3-219500000  
Address: 1224 Greenwood Ave  
City: Jackson State: MI Zip: 49203  
Nearest Intersection: High

Current Zoning Designation: C-2  
Current Use:  Residential  Commercial  
 Industrial  Mixed  Vacant

**VARIANCE INFORMATION** (Attach additional pages as needed, use separate form for each code section being appealed)

- List Code Section number(s) from which a variance is requested from: \_\_\_\_\_
- Explain reason/purpose for variance (paraphrasing code language, attach additional pages if necessary):  
I would like to have the home usage to return to residential usage from commercial to be able to capture the true value as was the way the property was intended and built

Is/will an attorney be representing your variance appeal:  YES  NO

If yes will the attorney be present at the ZBA meeting:  YES  NO

I hereby attest that I/we have read and understand the application form, that the information submitted is true and accurate, and agree to all the terms, conditions, and other City of Jackson Code requirements. I also give permission to the ZBA members and staff reviewers to enter my property to review aspects of the variance appeals request on the site.

Rodney Hamilton  
Signature of Applicant

03/08/23  
Date

\_\_\_\_\_  
Signature of Owner  
(If different than applicant)

\_\_\_\_\_  
Date

If the owner cannot sign this form, the applicant shall submit a letter of consent from the property owner with this application.

OFFICE USE ONLY	
CASE: <u>PZRA23-6004</u>	Application Accepted By: <u>SFoster</u>
Materials Submitted with Application: <input type="checkbox"/> Plans <input type="checkbox"/> Letter <input type="checkbox"/> Other _____	
Total Pages Submitted: <u>3</u>	Amount of Fee Paid: <u>\$500-</u> <input type="checkbox"/> Cash <input type="checkbox"/> Check Check #: _____

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**A. INSTRUCTIONS TO APPLICANTS FOR VARIANCE OR APPEALS.**

1. Separate application forms and added fees shall be submitted for each individual, unrelated type of variance.
2. For dimensional, supplemental, or use variance requests, the applicant shall submit an 8.5" x 11" sketch plan showing: dimensions from street/property lines, sidewalks, buildings on site and on adjoining property, utility easements, and other existing facilities and structures.
3. If the owner cannot sign this form, the applicant must submit a letter from the owner, requesting the variance.

**B. THE FOLLOWING ITEMS MUST BE ADDRESSED.**

Your application will be considered incomplete and will not go before the Zoning Board of Appeals until Section C and/or Section D is complete; attach additional pages if necessary.

**C. FOR DIMENSIONAL OR SUPPLEMENTAL VARIANCE – Provide responses for subsections 1 through 7.**

In authorizing a variance with conditions, the board shall require such evidence and bond as it may deem necessary to ensure that the conditions are being and will be complied with. No variance in the provisions or requirements of this chapter shall be authorized by the board unless the board finds, by a preponderance of the evidence that all of the following facts and conditions exist:

1. There are exceptional or extraordinary conditions applying to the property that do not apply to other properties or classes of uses in the same zoning district. N/A  
\_\_\_\_\_  
\_\_\_\_\_
2. The exceptional or extraordinary conditions do not result from the actions of any person with a current interest in the property. N/A  
\_\_\_\_\_  
\_\_\_\_\_
3. Strict compliance with this chapter would unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter. N/A  
\_\_\_\_\_  
\_\_\_\_\_
4. The authorizing of such variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest. N/A  
\_\_\_\_\_  
\_\_\_\_\_
5. The variance is the minimum variance possible for reasonable use of the property. N/A  
\_\_\_\_\_  
\_\_\_\_\_
6. The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area. N/A  
\_\_\_\_\_  
\_\_\_\_\_
7. Such variance shall in no manner or guise be construed to allow a change of use but shall allow only a variation or modification from the provisions of this chapter. N/A  
\_\_\_\_\_  
\_\_\_\_\_

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**D. FOR USE VARIANCE** – Provide responses for subsections 1 through 4.

The zoning board of appeals may grant a use variance only upon finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of the following:

1. The property cannot be reasonably used for any purpose permitted in the zoning district. There must be financial proof of the applicant's inability to realize any reasonable return; speculation or a qualitative assessment is inadequate. \_\_\_\_\_  
The home was built as a single family home and at some point change to commercial usage and I believe  
the property would be better used as a single family home for proper value.
  
  2. The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must demonstrate that there are certain features that make it impossible to earn a reasonable return without some adjustment. In those situations where others share the difficulty, the zoning board of appeals may find that relief should be accomplished by an amendment to the zoning ordinance, not a variance.  
It was built as a single family home and at some point change to commercial usage and I believe  
the property would be better used as a single family home for proper value, while there are both commercial  
and residential properties in the same block this property was built as a single family residential home and not  
intended for commercial usage.
  
  3. The problem and resulting need for the variance has not been self-created by the applicant. No, I did not create the problem.  
It was built as a single family home and at some point change to commercial usage.
  
  
  4. The variance will not alter the essential character of the area. In determining whether this criteria has been met, the established type and pattern of land uses in the area and the natural characteristics of the site and surrounding area shall be considered. It was built as a single family home and at some point the usage was change for commercial office  
usage, it was originally built as a single family home. There has not been any alterations to the residential  
single family home characteristics that would not warrant changing back for the original purpose.
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**Use Variance**  
**1224 Greenwood Avenue**  
**City of Jackson, Michigan**

## GENERAL INFORMATION

<b>Applicant:</b>	Rodney Hamilton Investments PO Box 132 Jackson, MI 49204
<b>Subject Location:</b>	1224 Greenwood Avenue (Parcel #3-21950)
<b>Received Date:</b>	March 09, 2023
<b>Current Zoning:</b>	C-2, Community Commercial
<b>Action Required:</b>	The zoning board of appeals shall hear and decide only such matters as the board is specifically authorized to pass on as provided in this chapter (Chapter 28). The board has the power to grant variances, decide appeals on administrative decisions and to interpret the boundary lines of the zoning map. The board shall not have the power to alter or change the zoning district classification of any property; nor to make any changes in the terms of this article (Article VIII).

## SITE/PROPERTY DESCRIPTION

The subject property, located south of McNeal Street and north of High Street, is 0.24 acres with approximately sixty-six (66) feet of road frontage on Greenwood Avenue. Review of the City of Jackson assessing records show the site contains two-story 1,108 square-foot single-family detached residential structure. The most recent use of the first (ground) floor was for commercial purposes and the second (top) floor for residential.

The structure was built in 1946 as a single-family residential home. In 1960, the first (ground) floor was converted into dental office, whereas the second (top) floor remained residential.

The current zoning designation is C-2, Community Commercial, review of the oldest available zoning map, adopted by City Commission October 10, 1961, shows the subject property's zoning designation as B-2, Community Commercial.

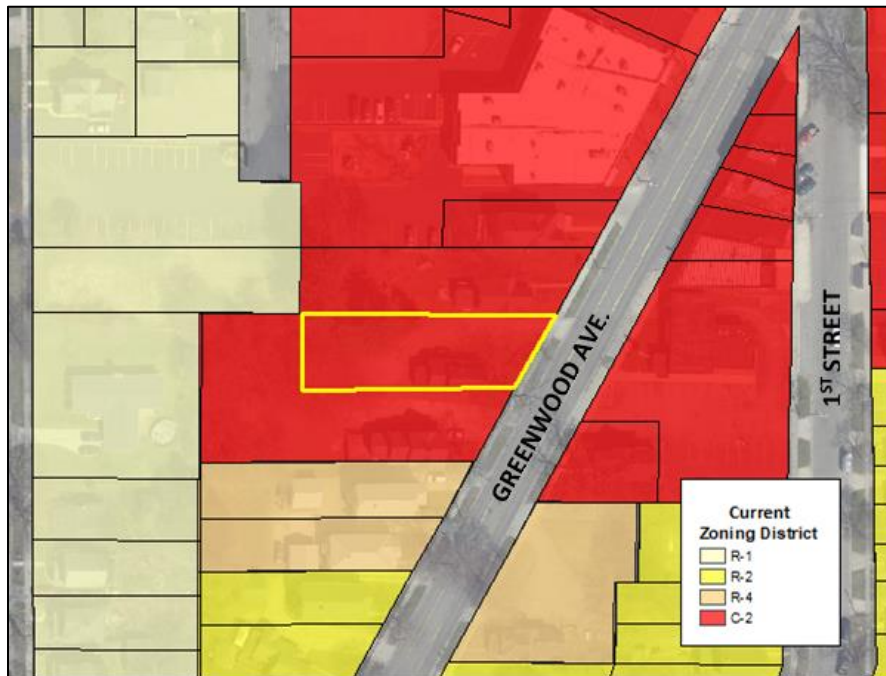
In June 2022, the property was registered the City's Foreclosed, Vacant and Abandoned (FVA) Residential Property program.





**NEIGHBORING ZONING AND LAND USE**

The subject property is currently C-2, Community Commercial, the table below identifies the surrounding zoning designations and current land uses.



	North	South	East	West
<b>Zoning</b>	C-2, Community Commercial	C-2, Community Commercial	C-2, Community Commercial	R-1, One Family Residential
<b>Land Use</b>	Single Family Residential	Single Family Residential	Commercial/Office	Single Family Residential

## ESSENTIAL FACILITIES AND SERVICES

The subject property is currently served, or has access to, essential city facilities and services.

## TRAFFIC IMPACT AND SITE ACCESS

Traffic volume will not increase if a use variance is approved for the subject property.

The site has frontage on Greenwood Avenue and is accessible via unknown shared driveway with the adjoining property to the north.

## USE VARIANCE STANDARDS

Per Section 28-238(d) the zoning board of appeals may grant a use variance only upon finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of the following:

- (1) The property cannot be reasonably used for any purpose permitted in the zoning district. There must be financial proof of the applicant's inability to realize any reasonable return; speculation or a qualitative assessment is inadequate;

**Staff Comment:** *Per City Water Department records, water service to the property was discontinued/shut-off in August 2011 and not returned to service until the applicants purchase in August 2021.*

*In April 2017, the property was foreclosed upon then acquired by the City of Jackson from Jackson County in August 2017. Until the applicants purchase, with the intent to provide two (2) rental units, the property was zoned and available for commercial use.*

*The proposed use is the highest and best use of the subject property.*

- (2) The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district. The applicant must demonstrate that there are certain features that make it impossible to earn a reasonable return without some adjustment. In those situations where others share the difficulty, the zoning board of appeals may find that relief should be accomplished by an amendment to the zoning ordinance, not a variance;

**Staff Comment:** *With exception of the adjoining properties to the north and south, both single family use, the majority of the C-2, Community Commercial zoned properties in the area were designed, built, intended and more suitable for uses permitted in the zoning district.*

- (3) The problem and resulting need for the variance has not been self-created by the applicant;

**Staff Comment:** *The problem and resulting need for the variance has not been self-created by the applicant.*

*As previously mentioned, the existing structure was built in 1946 as a single-family residential home. In 1960, the first (ground) floor was converted into dental office, whereas the second (top) floor remained residential.*

*Additionally, the zoning designation of the subject property at the time of construction is unknown.*

- (4) The variance will not alter the essential character of the area. In determining whether this criteria has been met, the established type and pattern of land uses in the area and the natural characteristics of

the site and surrounding area shall be considered.

**Staff Comment:** *Approval of the requested use variance will not alter the essential character of the area, it will, however, be more consistent and characteristic of the adjoining properties and uses.*

## RECOMMENDATIONS

Based on the following findings of fact, staff recommends approval of the requested use variance property at 1224 Greenwood Avenue (Parcel #3-21950) to allow the applicant to use the existing structure for single-family residential or two-unit residential rental use.

1. *The current use is the highest and best use of the subject property.*
2. *The majority of the C-2, Community Commercial zoned properties in the area were designed, built, intended and more suitable for uses permitted in the zoning district.*
3. *The problem and resulting need for the variance has not been self-created by the applicant.*
4. *The existing structure was built in 1946 as a single-family residential home.*
5. *Approval of the requested use variance will not alter the essential character of the area.*

Respectfully,



Christopher M. Atkin  
Planning Director, City of Jackson

cc: Applicant

# **CITY OF JACKSON**

## **ZONING BOARD OF APPEALS**

### **NOTICE OF PUBLIC HEARING**

**NOTICE IS HEREBY GIVEN** the City of Jackson Zoning Board of Appeals will hold a public hearing to hear a request for use variance pursuant to Section 28-244 of the City of Jackson Zoning Ordinance and as detailed below.

**Applicant:**

Rodney Hamilton  
PO Box 132  
Jackson, MI 49204

**Subject property:**

1224 Greenwood Avenue (Parcel #3-21950)

**Variance Request:**

The applicant requests a use variance from Section 28-71 of the zoning ordinance which does not permit first floor residential use in the C-2, Community Commercial zoning district.

**Effect of request:**

Approval of the use variance request will permit first floor residential use of an existing structure the C-2, Community Commercial zoning district.

**YOU ARE FURTHER NOTIFIED** that the City of Jackson will hear all oral and written objections and comments regarding the use variance request at:

**5:30PM on April 27, 2023 in  
City Hall Council Chambers, 2<sup>nd</sup> Floor  
161 W. Michigan Avenue  
Jackson, MI 49201**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request you may attend the public hearing or contact Chris Atkin at 517-768-6433 or [catkin@cityofjackson.org](mailto:catkin@cityofjackson.org) with comments. Written comments may be mailed to 161 W. Michigan Avenue, Jackson, MI c/o Chris Atkin. All comments and/or questions must be received no later than 5:00PM on April 27, 2023.



**Application for Variance**

*Requires a public hearing before Zoning Board of Appeals.*

*The variance fee of \$500.00 must be submitted with the application.*

Instructions and additional information on Page 2 and Page 3

Type/Nature of Appeal:  Dimensional  Supplemental  Use  Interpretation of Code/Map

**APPLICANT**

Name: Johnson Sign Co  
Address: 2240 Lansing Ave  
City: Jackson State: Mi Zip: 49202  
Phone: ( 734 ) 483 - 2000  
Email: jess@johnsonsign.com

**PROPERTY OWNER**  Same as applicant

Name: Karen Weidenbach - Burlington Stores  
Address: 1830 Route 130 North  
City: Burlington State: NJ Zip: 08016  
Phone: ( 609 ) 784-6260  
Email: karen.weidenbach@burlington.com

**ADDRESS SUBJECT TO VARIANCE REQUEST**

Property Identification #: 2-2469.5000  
Address: 1250 Boardman Rd  
City: Jackson State: MI Zip: 49202  
Nearest Intersection: Boardman Rd and N Wisner RD

Current Zoning Designation: PB  
Current Use:  Residential  Commercial  
 Industrial  Mixed

**VARIANCE INFORMATION** (Attach additional pages as needed, use separate form for each code section being appealed)

1. List Code Section number(s) from which a variance is requested from: Sec. 28-253(J) and (L)

2. Explain reason/purpose for variance (paraphrasing code language, attach additional pages if necessary):

A dimensional variance to sec. 28-253(L) is requested to allow a permanent wall sign of 188.9 sq ft.

A supplemental variance for temporary banners (b1-1 and b1-2) to exceed the time allowed per code for a total of 36 weeks or 9 months

Is/will an attorney be representing your variance appeal:  YES  NO

If yes will the attorney be present at the ZBA meeting:  YES  NO

I hereby attest that I/we have read and understand the application form, that the information submitted is true and accurate, and agree to all the terms, conditions, and other City of Jackson Code requirements. I also give permission to the ZBA members and staff reviewers to enter my property to review aspects of the variance appeals request on the site.

James John  
Signature of Applicant

3/21/2023  
Date

Karen Weidenbach  
Signature of Owner  
(If different than applicant)  
Date

If the owner cannot sign this form, the applicant shall submit a letter of consent from the property owner with this application.

OFFICE USE ONLY	
CASE: <u>P2BA23-0606</u>	Application Accepted By: <u>S Foster</u>
Materials Submitted with Application: <input checked="" type="checkbox"/> Plans <input type="checkbox"/> Letter <input type="checkbox"/> Other	
Total Pages Submitted: _____	Amount of Fee Paid: <u>\$500.00</u> <input type="checkbox"/> Cash <input checked="" type="checkbox"/> Check Check #: _____

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**A. INSTRUCTIONS TO APPLICANTS FOR VARIANCE OR APPEALS.**

1. Separate application forms and added fees shall be submitted for each individual, unrelated type of variance.
2. For dimensional, supplemental, or use variance requests, the applicant shall submit an 8.5" x 11" sketch plan showing: dimensions from street/property lines, sidewalks, buildings on site and on adjoining property, utility easements, and other existing facilities and structures.
3. If the owner cannot sign this form, the applicant must submit a letter from the owner, requesting the variance.

**B. THE FOLLOWING ITEMS MUST BE ADDRESSED.**

Your application will be considered incomplete and will not go before the Zoning Board of Appeals until Section C and/or Section D is complete; attach additional pages if necessary.

**C. FOR DIMENSIONAL OR SUPPLEMENTAL VARIANCE – Provide responses for subsections 1 through 7.**

In authorizing a variance with conditions, the board shall require such evidence and bond as it may deem necessary to ensure that the conditions are being and will be complied with. No variance in the provisions or requirements of this chapter shall be authorized by the board unless the board finds, by a preponderance of the evidence that all of the following facts and conditions exist:

1. There are exceptional or extraordinary conditions applying to the property that do not apply to other properties or classes of uses in the same zoning district. The Burlington storefront sits 440' back from the edge of the road. The line of site from the road to Burlington is interrupted by 3 smaller outbuildings close to the roadway. These obstructions, combined with the distance from the road make it difficult to distinguish the store fronts that are present in this particular area of the mall building.
2. The exceptional or extraordinary conditions do not result from the actions of any person with a current interest in the property. This exceptional condition is not a result of any person's actions with a current interest in the property.
3. Strict compliance with this chapter would unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter. Not allowing this variance prevents proper identification of Burlington. Having the proposed signs in the requested area provides the best impact for visibility.
4. The authorizing of such variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest. The proposed Burlington signage does not affect the neighboring businesses. The size requested in the drawings is proportional to the building and does not look out of character with the surrounding businesses
5. The variance is the minimum variance possible for reasonable use of the property. We feel that this is a minimum request to properly identify one of the main tenants in the shopping center. Neighboring tenants have very large building signs. We feel that we should be allowed larger signs as well in order to stand out and have an equivalent amount of visibility as compared to our neighbors.
6. The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area. The proposed Burlington signage will not impair the supply of light or have any negative impact on the neighboring businesses. The proposed signs are reasonable and fit within the character of the surrounding areas.
7. Such variance shall in no manner or guise be construed to allow a change of use but shall allow only a variation or modification from the provisions of this chapter. The proposed sign variance would not allow a change of use



Front Store Elevation

S1-1

Proposed Signage = 188.9 SF

Relevant Signage Code  
N/A

Sign Type  
LED Channel Letters  
Front-Lit

Mounting  
Flush Mounted

Color Palette

- Face: White Acrylic
- Trim Cap & Returns: Black

Project No. 17129  
 Project Burlington Signage Package  
 Location TBD Jackson Crossing Ave  
 Jackson, MI 49202  
 Jackson Crossing  
 Orig. Draft 07.05.2022  
 Project Mgr. N/A  
 Designer IDV  
 Rev. Art Steph Chan  
 Rev. Date 10.21.2022  
 Page Rev. 004  
 Rev. Details Revised render

This sign design is exclusive property of Identiti Resources, LTD., and is the result of the original and creative work of its employees. This drawing is submitted to the customer for the sole purpose of purchase of the design or signage manufactured to this design, by Identiti Resources, LTD. Distribution to or use of this sign design by anyone outside of the customer's organization, without expressed, written authorization by Identiti Resources, LTD. is prohibited.

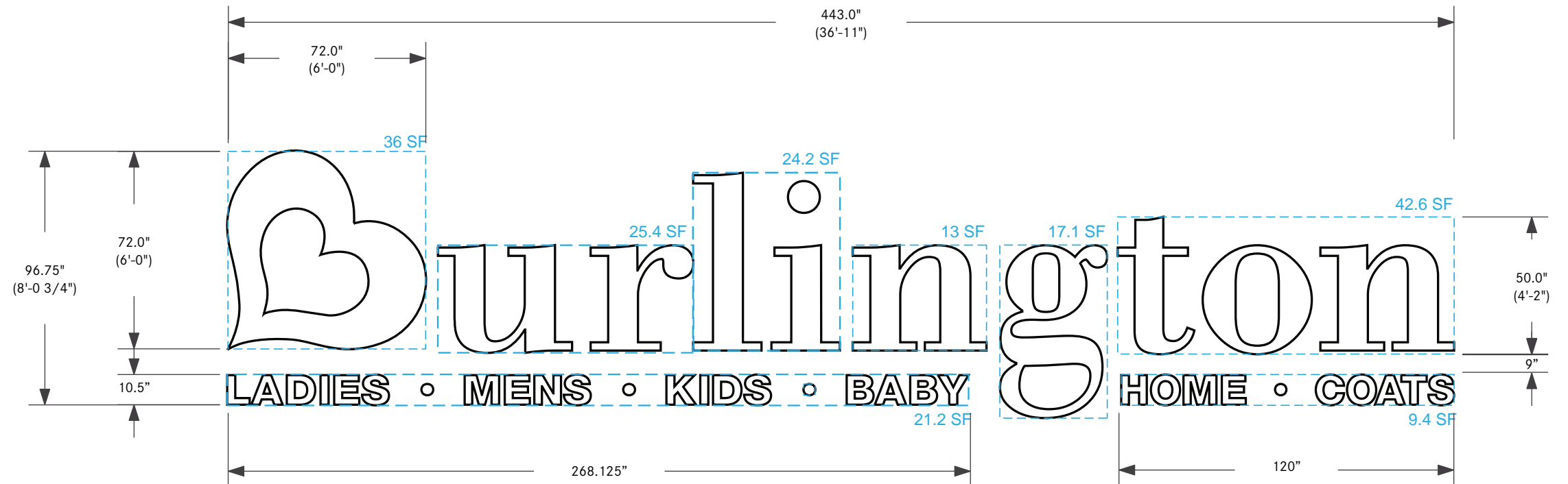
**IDENTITI**  
 425 N Martingale Rd  
 18th Floor  
 Schaumburg, IL 60173  
 O ce 847.301.0510  
 identiti.net



RENDER IS AN ESTIMATION

ALL DIMENSIONS AND SITE CONDITIONS TO BE VERIFIED BY FIELD SURVEY AND APPROVED BY BURLINGTON PRIOR TO INSTALLATION.

**\*FIELD VERIFICATION REQUIRED ONCE CONSTRUCTION BUILD OUT IS COMPLETED\***  
**\*CONFIRMATION OF CITY APPROVAL REQUIRED.\***



**LEGEND**

- Temp. Banner B1 B2
- Temp. Skid Sign DS
- Temp. Tenant Panel TO

**Site Plan - Overview**

Project No.	17129
Project	Burlington Signage Package
Location	TBD Jackson Crossing Ave Jackson, MI 49202 Jackson Crossing
Orig. Draft	07.05.2022
Project Mgr.	N/A
Designer	IDV
Rev. Art	N/A
Rev. Date	00.00.00
Page Rev.	000
Rev. Details	N/A

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**IDENTITI**  
 425 N Martingale Rd  
 18th Floor  
 Schaumburg, IL 60173  
 O ce 847.301.0510  
 identiti.net



\* NOT OWNED

# B1-1

Proposed Signage = 32 SF

Relevant Signage Code  
32 SF

Sign Type  
Banner w/ Applied Vinyl & Changeable Copy

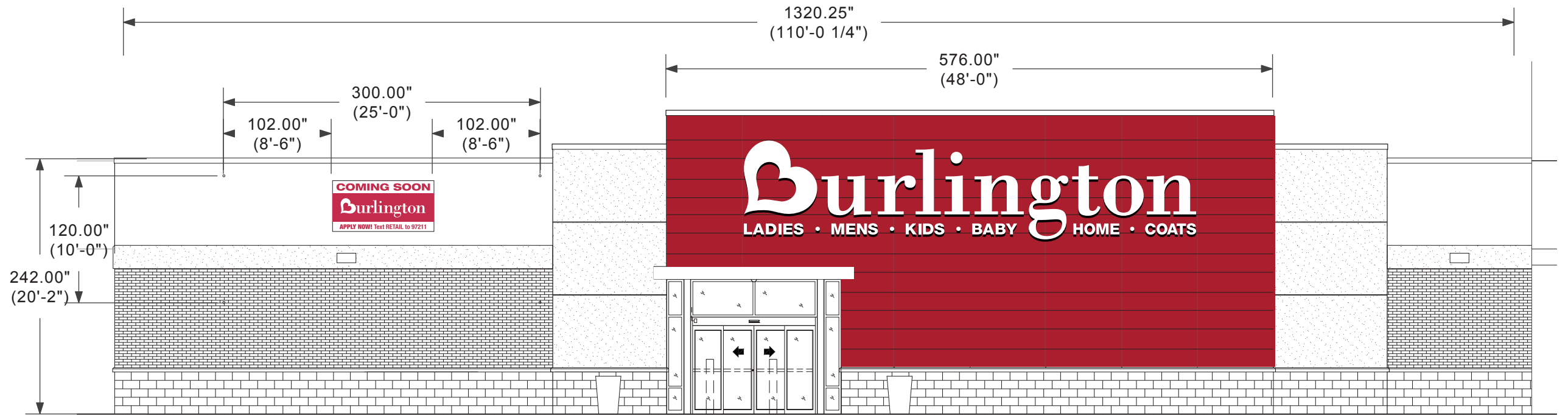
Mounting  
Mounted w/ Grommets

Color Palette  
 White Banner Material  
 Vinyl: PMS 207 C

Project No. 17129  
 Project Burlington Signage Package  
 Location TBD Jackson Crossing Ave  
 Jackson, MI 49202  
 Jackson Crossing  
 Orig. Draft 07.05.2022  
 Project Mgr. N/A  
 Designer IDV  
 Rev. Art MM  
 Rev. Date 03.21.2023  
 Page Rev. 005  
 Rev. Details Updated elevation

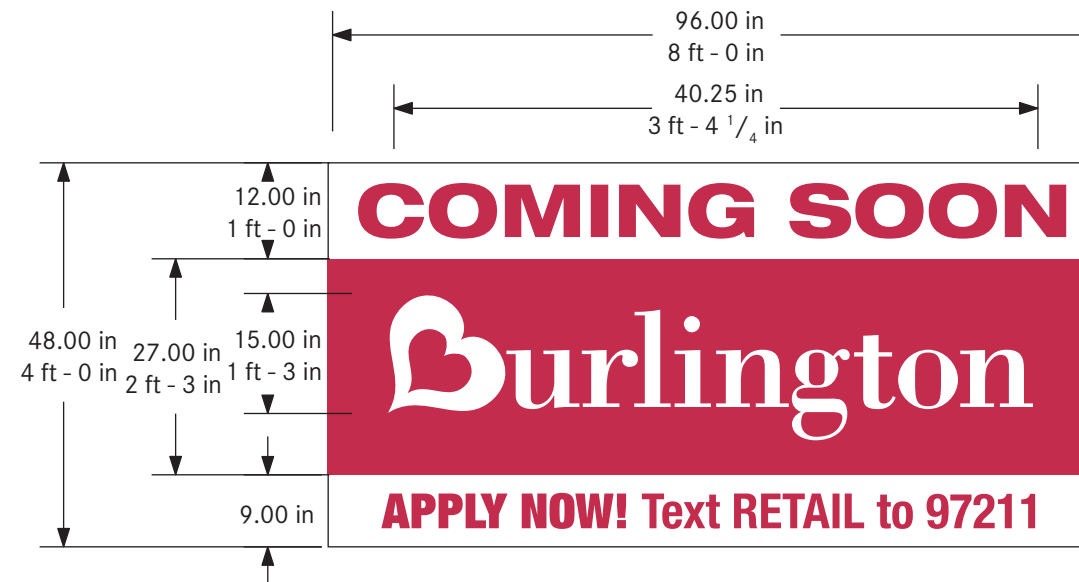
This sign design is exclusive property of Identiti Resources, LTD., and is the result of the original and creative work of its employees. This drawing is submitted to the customer for the sole purpose of purchase of the design or signage manufactured to this design, by Identiti Resources, LTD. Distribution to or use of this sign design by anyone outside of the customer's organization, without expressed, written authorization by Identiti Resources, LTD. is prohibited.

**IDENTITI**  
 425 N Martingale Rd  
 18th Floor  
 Schaumburg, IL 60173  
 O ce 847.301.0510  
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RENDER IS AN ESTIMATION - **FIELD VERIFICATION REQUIRED**  
 \*DO NOT PENETRATE EIFS. BANNER IS TO BE INSTALLED USING PROVIDED EYE HOOKS\*

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- INDICATES STAGE 1 SIGNAGE (INSTALL 6 MONTHS PRIOR TO OPEN)
- INDICATES STAGE 2 SIGNAGE (INSTALL 12 WEEKS PRIOR TO OPEN)
- INDICATES STAGE 3 SIGNAGE (INSTALL ON GRAND OPEN DAY)

# B1-2

Proposed Signage = 32 SF

Relevant Signage Code  
N/A

Sign Type  
Banner w/ Applied Vinyl & Changeable Copy

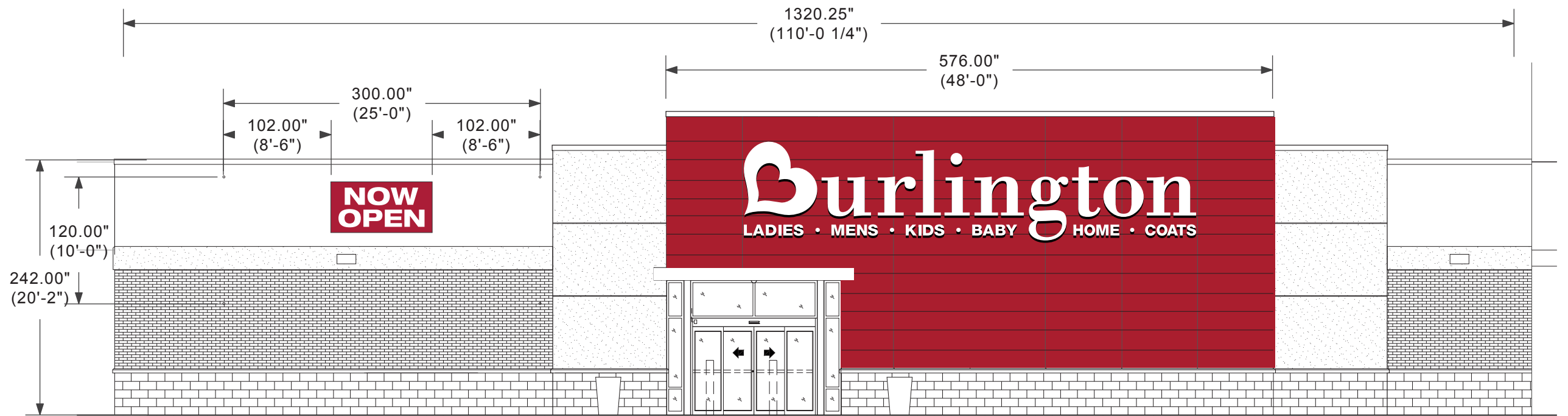
Mounting  
Mounted w/ Grommets

Color Palette  
White Banner Material  
Vinyl: PMS 207 C

Project No. 17129  
Project Burlington Signage Package  
Location TBD Jackson Crossing Ave  
Jackson, MI 49202  
Jackson Crossing  
Orig. Draft 07.05.2022  
Project Mgr. N/A  
Designer IDV  
Rev. Art MM  
Rev. Date 03.21.2023  
Page Rev. 005  
Rev. Details Updated elevation

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## Dimensional and Supplemental Variance 1250 Jackson Crossing (Burlington) City of Jackson, Michigan

### GENERAL INFORMATION

**Applicant:** Johnson Sign Co. on behalf of Burlington

**Subject Location:** 1250 Jackson Crossing (Parcel # 2-2469.5)

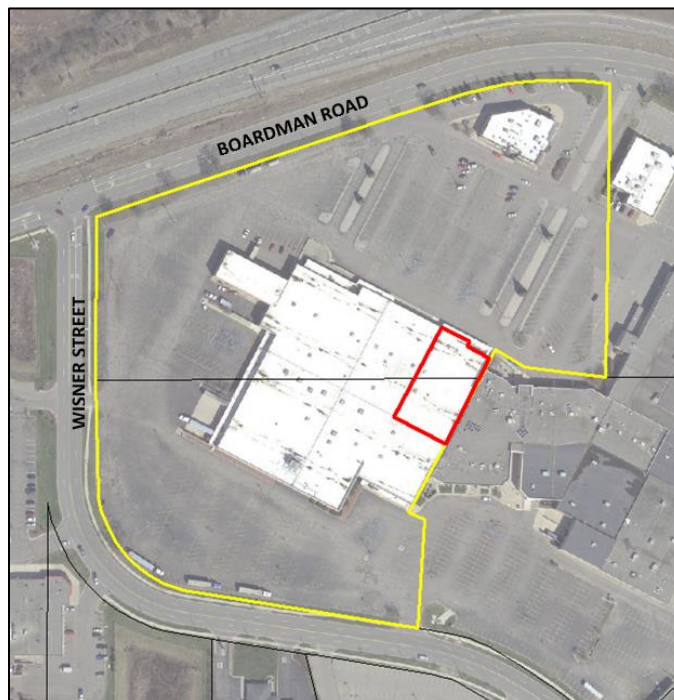
**Received Date:** April 28, 2022

**Current Zoning:** PB, Planned Building Group Shopping Center

**Action Required:** The zoning board of appeals shall hear and decide only such matters as the board is specifically authorized to pass on as provided in this chapter (Chapter 28). The board has the power to grant variances, decide appeals on administrative decisions and to interpret the boundary lines of the zoning map. The board shall not have the power to alter or change the zoning district classification of any property; nor to make any changes in the terms of this article (Article VIII).

### SITE/PROPERTY DESCRIPTION

The 6.50-acre subject site, which is part of a multi-unit structure occupying a combined fifteen (15) acres, is located off Boardman Road near N. Wisner Street; the tenant space is the southeastern most portion of the former Sears building. This portion of the building is an average distance of 518 feet from Boardman Road.



2019 – Looking Southwest from Boardman Road ±570’



2022 – Looking Southeast from Boardman Road ±465’



**NEIGHBORING ZONING AND LAND USE**

The subject property is currently zoned PB, Planned Building Group Shopping Center. The table below identifies the surrounding zoning designations and current land uses.

	North	South	East	West
<b>Zoning</b>	PB, Planned Building Group Shopping Center	PB, Planned Building Group Shopping Center & C-4, General Commercial	PB, Planned Building Group Shopping Center	C-4, General Commercial (Blackman Township)
<b>Land Use</b>	Retail	Retail	Retail	Retail

**VARIANCE REQUEST**

The applicant requests a dimensional variance from zoning ordinance Section 28-253(l) which permits the area of a wall sign up to a maximum of one hundred (100) square feet.

Furthermore, the applicant requests a supplemental variance from zoning ordinance Section 28-253(k) which permits temporary banners to be displayed for not more than thirty (30) days and not more than three (3) events per calendar year.

Approval of the dimensional variance will permit installation of a 189 square-foot wall sign on the northern

façade.

Approval of the supplemental variance will permit installation of a temporary banner on the northern façade for nine (9) months.

#### DIMENSIONAL VARIANCE STANDARDS

Per Section 28-238(c) in authorizing a variance with conditions, the board shall require such evidence and bond as it may deem necessary to ensure that the conditions are being and will be complied with. No variance in the provisions or requirements of this chapter shall be authorized by the board unless the board finds, by a preponderance of the evidence that all of the following facts and conditions exist:

- (1) There are exceptional or extraordinary conditions applying to the property that do not apply to other properties or classes of uses in the same zoning district.

**Staff Comment:** *The area of the occupied space, combined acreage of the property, and setback distances are disproportionate to the allowable sign area. Furthermore, the phased redevelopment of the entire site area includes developing out lots along Boardman Road.*

- (2) The exceptional or extraordinary conditions do not result from the actions of any person with a current interest in the property.

**Staff Comment:** *The exceptional or extraordinary conditions are not result from the actions of any person with a current interest in the property.*

- (3) Strict compliance with this chapter would unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter.

**Staff Comment:** *Strict compliance with this chapter would not unreasonably prevent the applicant from using the property for a permitted purpose or would create practical difficulties in conforming to the requirements of this chapter. However, as stated previously, the phased redevelopment of the entire site area includes developing out lots along N. Wisner Street and Boardman Road possibly further obstructing the view of a 100 square-foot sign.*

- (4) The authorizing of such variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest.

**Staff Comment:** *Granting the requested dimensional variance will not be of substantial detriment to adjacent property, alter the essential character of the area, and will not impair the purposes of this chapter or the public interest. Approval of a similar variance for the adjoining business occurred in 2021 and 2022.*

- (5) The variance is the minimum variance possible for reasonable use of the property.

**Staff Comment:** *Staff is of the opinion the variance request is reasonable.*

- (6) The variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area.

**Staff Comment:** *The requested dimensional variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area.*

- (7) Such variance shall in no manner or guise be construed to allow a change of use but shall allow only a variation or modification from the provisions of this chapter.

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**Staff Comment:** *The requested variance will not allow, or give the appearance of, a change in use.*

## RECOMMENDATIONS

Based on the following findings of fact, staff recommends approval of the requested dimensional variance as presented by the applicant, at 1250 Jackson Crossing (Parcel # 2-2469.5)

1. *The area of the occupied space, combined acreage of the property, and setback distances are disproportionate to the allowable sign area. Furthermore, the phased redevelopment of the entire site area includes developing out lots along Boardman Road.*
2. *The requested dimensional variance will not impair an adequate supply of light and air to adjacent property, or substantially increase the congestion in public streets or increase the danger of fire or endanger the public safety or substantially diminish property values within the area.*
3. *The requested variance will not allow, or give the appearance of, a change in use.*

Respectfully,



Christopher M. Atkin  
Planning Director, City of Jackson

cc: Applicant

# CITY OF JACKSON

## ZONING BOARD OF APPEALS

### NOTICE OF PUBLIC HEARING

**NOTICE IS HEREBY GIVEN** the City of Jackson Zoning Board of Appeals will hold a public hearing to hear a requests for a dimensional variance and supplemental variance pursuant to Section 28-244 of the City of Jackson Zoning Ordinance and as detailed below.

**Applicant:**

Johnson Sign Co. on behalf of Burlington  
2240 Lansing Avenue  
Jackson, MI 49202

**Subject Property:**

1250 Jackson Crossing (Burlington)  
Jackson, MI 49202  
(Parcel # 2-2469.5)

**Variance Request:**

The applicant requests a dimensional variance from zoning ordinance Section 28-253(l) which permits the area of a wall sign up to a maximum of one hundred (100) square feet.

Furthermore, the applicant requests a supplemental variance from zoning ordinance Section 28-253(k) which permits temporary banners to be displayed for not more than thirty (30) days and not more than three (3) events per calendar year.

**Effect of request:**

Approval of the dimensional variance will permit installation of a 189 square-foot wall sign on the northern façade.

Approval of the supplemental variance will permit installation of a temporary banner on the northern façade for nine (9) months.

**YOU ARE FURTHER NOTIFIED** that the City of Jackson will hear all oral and written objections and comments regarding the dimensional variance and supplemental variance requests at:

**5:30PM on April 27, 2023 in  
City Hall Council Chambers, 2<sup>nd</sup> Floor  
161 W. Michigan Avenue  
Jackson, MI 49201**

Reasonable accommodations for individuals with disabilities will be made if notification is received ten (10) days prior to the public hearing.

If you are interested in this request you may attend the public hearing or contact Chris Atkin at 517-768-6433 or [catkin@cityofjackson.org](mailto:catkin@cityofjackson.org) with comments. Written comments may be mailed to 161 W. Michigan Avenue, Jackson, MI c/o Chris Atkin. All comments and/or questions must be received no later than 5:00PM on April 27, 2023.