

# **Zoning Board of Appeals *Regular* *Meeting***

Big Rapids City Hall  
226 N Michigan Avenue  
August 24, 2023  
6:30 P.M.

1. Call to Order
2. Pledge of Allegiance
3. Roll Call
4. Election of Officers – Chair, Vice Chair, Secretary
5. Approval of the Minutes
6. Public Comment Not Related to Items on the Agenda
7. Public Hearing
  - a. 807 Colburn Avenue – Use Variance, Request to allow a structure to be converted for residential use.
  - b. 605 Oak Street – Dimensional Variance to allow additional and larger signs than permitted by right in the R-1 Zoning District.
  - c. 650 Linden Street – Dimensional Variance to allow additional and larger signs than permitted in the R-1 Zoning District.
  - d. 722 Locust Street – Dimensional Variance to allow a larger sign than permitted in the R-1 Zoning District.
8. Unscheduled Business
  - a. Board Education
9. Adjourn

**CITY OF BIG RAPIDS**  
**ZONING BOARD OF APPEALS MINUTES**  
**June 22, 2023**  
*Unapproved*

Acting Chair Walton called the June 22, 2023, regular meeting, of the Zoning Board of Appeals to order at 6:30 p.m.

**PLEDGE OF ALLEGIANCE**

**PRESENT** Ben Kalis, Jane Johansen, Amanda Frazier, and Mark Walton

**EXCUSED** Paul Zube

**ABSENT** None

**ALSO PRESENT** Michelle Stenger, Community Development Director  
Joseph Walker, Planning & Zoning Technician

There were 16 members of the public in attendance.

**APPROVAL OF MINUTES**

*Motion was made by Ben Kalis and seconded by Jane Johansen to approve the minutes of the May 25, 2023, Zoning Board of Appeals meeting as presented, with no changes. Motion was passed with all in favor.*

**PUBLIC COMMENT NOT RELATED TO ITEMS ON THE AGENDA**

None heard.

**GENERAL BUSINESS**

**512 Green Street – Use Variance, Request to allow a structure to have more occupants than permitted by right in each duplex. The current property is zoned R-1.**

**Staff Report:**

Director Stenger summarized the request to add an additional bedroom to a non-conforming duplex located in the R-1 district.

**Acting Chair Walton opened public comment at 6:34 p.m.**

**Those Who Spoke in Favor of the Request:** None heard.

**Those Who Spoke in Opposition of the Request:**

Kathleen May of 426 Green Street, Big Rapids, presented a sign list of 5 residents of Green Street opposed to the variance. May said that she had been part of a group that fought rezone the area to R-1. May expressed concerns about parking, and the number of occupants of the property increasing.

Roberta Cline of 602 Escott Street, Big Rapids, asked that the board deny the request, noting that the property was in the R-1 district. Cline also expressed concerns about parking.

Kendra Plumb of 511 Green Street, spoke in opposition of the variance. Plumb wanted the neighborhood to maintain a single-family atmosphere and was worried about student housing moving into the area.

Telephonic or Written Correspondence Received by Staff: None

**Acting Chair Walton closed public comment at 6:43 p.m. and the commissioners entered into fact finding.**

Johansen said the board should not expand on a non-conforming use, and noted the area is R-1 and that it should remain aligned with the intent of that district.

Kalis asked Stenger if there were any issues with violations or property tax payments. Stenger confirmed there were not.

Frazier agreed with Johansen that a non-conforming use should not be expanded and that it didn't make sense to further alter the rules of the R-1 district.

Walton asked if it was possible to add the bedrooms if it wasn't possible to convert the duplex into a single-family home but acknowledged that was not the question at hand. He noted the applicant was not in attendance to address any questions.

***Motion was made by Mark Walton and seconded by Kalis that the non-use variance application for 512 Green Street (17-15-276-007) to allow the addition of two bedrooms to the existing duplex be denied because it does not meet Standards of Sections 13.6:1-4 of the Zoning Ordinance.***

***Motion Passed with all in favor.***

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**416 N State St – Use Variance, Request to allow for residential use of a property.  
Property is currently zoned C-3.**

Staff Report:

Director Stenger explained that the C-3 zoning district does not allow for the residential use of a structure. She noted that the structure in question was more fitting for residential use. She also stated that the applicant attempted to rezone the property in October of 2022, and was asked by

the planning commission to seek neighbors in the surrounding area to also consider rezoning. The applicants instead chose to pursue the variance application process.

Those Who Spoke in Favor of the Request:

The applicants explained that they had purchased the property and used it as a photography studio for several years but began working from home during the COVID-19 pandemic. The applicants explained that the property had been on the market for an extended period of time and that they could not find a buyer due to the property's zoning and the property's undesirability as a commercial structure.

Laura Smart of 418 N State Street, Big Rapids, said she was in favor of the variance.

The applicant's realtor Laura Veersma, also spoke to her difficulty in selling the property, noting that even with very favorable market conditions the property was not desirable for the uses allowed by zoning.

David Casey, spoke to the lack of affordable housing and said he supported adding new housing stock.

Those Who Spoke in Opposition of the Request: None heard.

Telephonic or Written Correspondence Received by Staff: None.

**Acting Chair Walton closed public comment at 7:06 p.m. and the commissioners entered into fact finding.**

Johansen asked director Stenger about the difference between a variance and rezone, and how long the variance would last. Stenger answered her questions.

Kalis asked about the uses of the surrounding properties.

Walton noted there was a mixture of uses in the area.

Johansen stated the board didn't need to consider whether or not the property could sell.

Frazier noted that the property was clearly built for residential, and she didn't see a reason to deny the variance.

Walton restated the criteria needed by the board to consider approval and addresses the arguments within the staff report along with the other board members.

There was an extensive conversation about the wording of the variance.



*Motion made by Ben Kalis and seconded by Jane Johansen that the Use Variance Application for 416 N State Street (PIN 54-17-11-309-007) be approved because the application meets the standards set in Sections 13.5 and 13.7 of the Zoning Ordinance, but the following conditions are required to ensure compatibility with adjacent uses of land:*

*Residential use is limited to single family and one supplemental occupant.*

*The motion passed with all in favor.*

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**114 Oak Street – Dimensional Variance, Request to allow a duplex on property that does not meet the minimum square footage requirements. Property is zoned R-3.**

Staff Report:

Stenger explained that the R-3 district allows for duplexes, but that there are lot size requirements needed in order to allow them. The requirement is 12,000 Sqft., and the property in question was short around 500-600 Sqft. of meeting this requirement.

**Acting Chair Walton opened public comment at 7:26 p.m.**

Those Who Spoke in Favor of the Request:

The applicant, Josh Albright of 6408 Saddlewood Drive, North Carolina, explained the layout of the house and how it could be used as a duplex. He spoke to the Ample space in the structure and abundance of parking. He pointed out some of the details of the property to the board on a map.

David Casey, owner of Big Rapids Student housing, spoke in favor of the request. He owns many of the surrounding properties and had no issues with the variance.

Laura Veersma spoke in favor of the request, stating that the duplex would fit the housing needs of the area well.

Kyle Smoes, of Southern Rockford, Michigan, stated he owned an adjacent building and spoke in favor of the request. Citing his experience as a residential builder he explained the alterations would be good for the structure and area.

Those Who Spoke in Opposition of the Request: None

Telephonic or Written Correspondence Received by Staff:

Stenger had received a phone call from a neighbor of the property who said they had no concerns with the variance.

**Acting Chair Walton closed public comment at 7:34 p.m. and the commissioners entered into fact finding.**

Kalis asked about the property's history as a rental which the applicant explained for the board.

The board discussed the nature of the request and the details of lot size requirements extensively.

Johansen brought up the first of the criteria when considering variance requests and questioned whether the property satisfied it.

Kalis asked whether the property was listed for rent in the months leading up to the request, the applicant explained they had just taken ownership of the property from a family trust. Kalis expressed he thought some effort towards renting the property as is in order to satisfy all of the criteria for a variance.

Frazier said she thought that since the size difference from the requirement was minor, and since the neighbors were all in support, she didn't see satisfying all of the criteria as a major issue when considering this particular variance.

Johansen asked Stenger if it was possible to give an exception to square footage without permitting any other uses. Stenger explained that was the nature of the request, and that the board was only considering the exception to the size requirement since a duplex is a permitted use in the district otherwise.

Stenger explained the reasoning behind lot size requirements, and how they protect against issues that weren't of concern in this case.

Walton explained that since the variance wasn't setting precedent, and that since the exception was minor, he thought the structure with some improvements would be acceptable as a duplex.

The board discussed problems posed by a duplex.

Stenger explained the duplex would not increase occupancy.

The board was still concerned by criteria one of those listed for variances.

Walker noted the wording of the criteria stated that it requires ordinance stopping the property from being used "for a permitted purpose," which includes a duplex.

The board discussed the wording of a variance that would only address the size requirements, and the nature of size requirements themselves at length. The board then reiterated the facts of the case discussed earlier in the meeting.

***Motion by Frazier and seconded Walton by that the non-use variance application for 114 Oak Street (PIN 17-14-155-009) to allow a duplex on a lot not meeting the minimum area Standards of Section 3.6 based on Standards of Section 13.6 of the Zoning Ordinance be approved.***

***Motion passed with all in favor.***

**UNSCHEDULED BUSINESS**

None Heard.

Respectfully submitted,

Joseph Walker,  
Planning & Zoning Technician



City of Big Rapids

Community Development Department  
Zoning Board of Appeals Application

Application Date: 7/26/23

**Applicant Information:**

Name:	<u>Jotham Lenau / Kai Lenau</u>
Address:	<u>22843 12 Mile Rd Big Rapids</u>
Phone Number:	<u>616 302 2819</u>

**Property Owner Information: (Complete only if different from above)**

Name:	
Address:	<u>N/A</u>
Phone Number:	

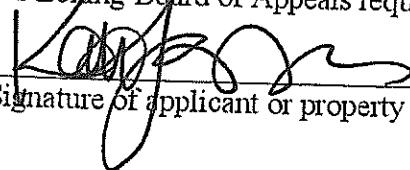
**Zoning Variance Information:**

Variance Requested:	<u>To rehabilitate a dwelling in order to provide affordable housing for the community.</u>
Variance Address:	<u>215 S Third Avenue, Big Rapids</u>
Parcel Number:	<u>5417-11-458-010</u>

Please submit all of the following information as attachments:

1. A legal description of the property in question.
2. A detailed explanation of why a variance is necessary on this property
3. A detailed sketch plan of the property indicating present conditions and areas where the proposed variance(s) will be utilized. As part of this plan list lot dimensions, property lines, building/structures sizes, and all natural features.
4. The proposed use of any new buildings/structures.
5. Eight (8) copies of all application materials.
6. Application fee of \$200.00

All information required for submission of an application as indicated above has been provided. I certify that I have read and do understand the procedures for the City of Big Rapids Zoning Board of Appeals requests.

  
Signature of applicant or property owner

Email: Jotham3939@gmail.com

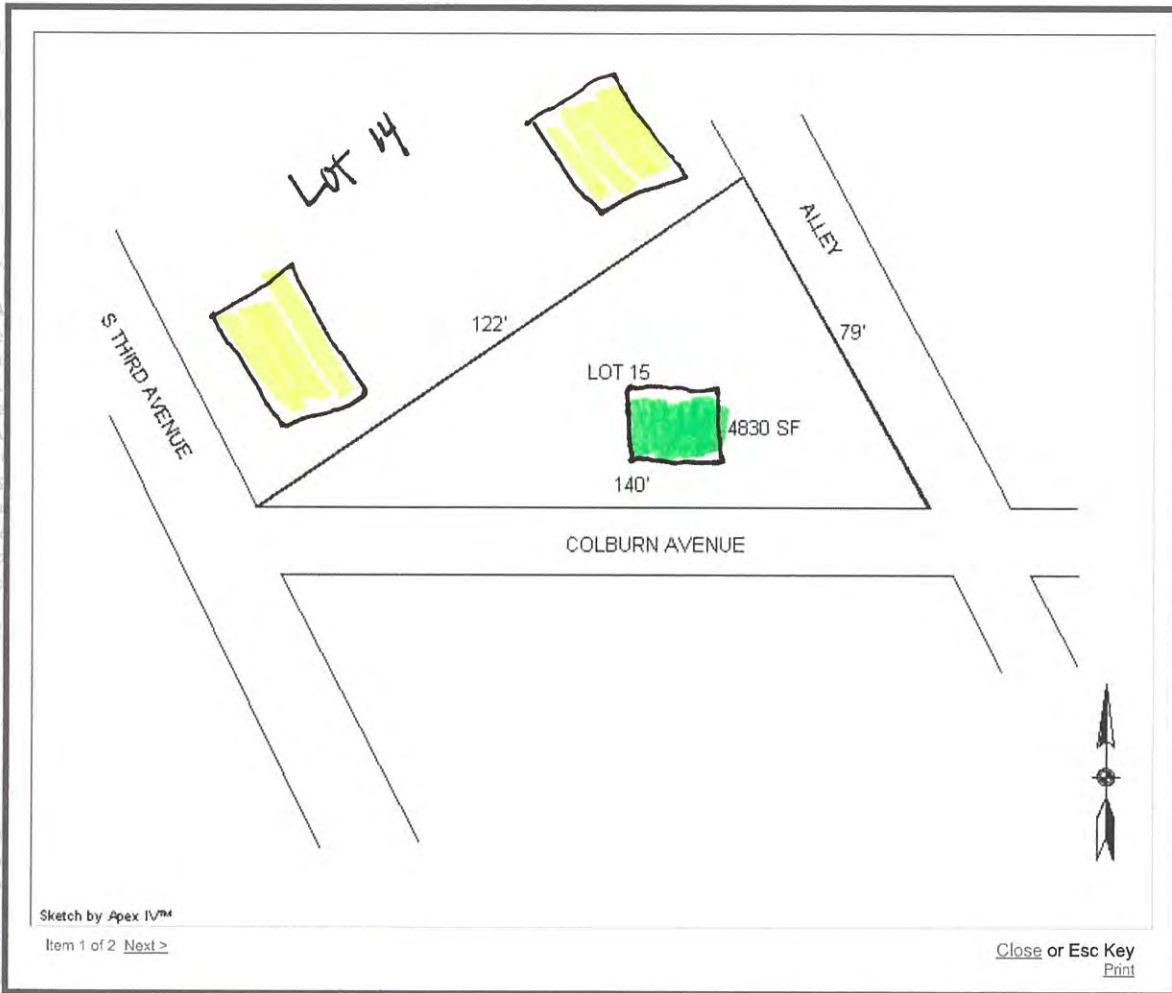
Date of Last Split/Combine  
 Date Form Filed  
 Date Created  
 Acreage of Parent  
 Split Number  
 Parent Parcel

Number of Splits Left  
 Unallocated Divs of Parent  
 Unallocated Divs Transferred  
 Rights Were Transferred  
 Courtesy Split

Split History



Date	Amount	Code	From	To	Comments	Parcel ID
11/27/2021	\$0.00	OTH	ALBRIGHT JULIA MAUREEN	ALBRIGHT JULIA MAUREEN TRUST	20-ADJUT PARCEL SALE	92261897
12/11/2021	\$0.00	DE	ALBRIGHT, HARRY	ALBRIGHT TRUST, JULIA MAUREEN	21-NOT USED/OTHER	682/467
01/25/2002	\$31,000.00	WD	OLSON, RICHARD A &	ALBRIGHT, HARRY	TR-IC PAYOUT	661/2504

Basement  
 Floor Area  
 Garage  
 Foundation  
 Year Built  
 Occupancy  
 Effective  
 Percent  
 AC w/S  
 Basement  
 1st Floor  
 2nd Floor  
 Bedroom  
 Area  
 Living  
 Walkway



Parcel Information

CCP (1 Story)  
 CGEP (1 Story)  
 CCP (1 Story)

 = Current Rental & Garage  
 = Current Distressed Home Structure

\*\*Disclaimer: BSA Software does not warrant the accuracy of the data provided on this website. BSA Software is not responsible for any loss or damage resulting from the use of this data.

## Use of variance standards - Section 13.7

1. The current property under review has a residential structure that is unusable in its current condition. Due to the current zoning the structure no longer fits c-3 because the grandfather clause has expired. Unfortunately the building would be extremely difficult (if not impossible) to convert into a commercial space without completely removing the structure.
2. The circumstances from this property are directly correlated to the previous owners letting the building go for too long. It has no bearing on the general neighborhood conditions, if anything allowing this variance will clean up and add value to this up and coming area.
3. The neighborhood primarily consists of residential single family homes. The variance requested would be inline with the character of the area.
4. As the new owner of this property my vision is to eventually level my two lots and develop a commercial business in the near future. But in the meantime until this area grows and it makes financial sense, I would love to do a light renovation that not only provides affordable housing but also increases the aesthetic value and look of the community. This property has been long overlooked from the previous owners and I would love the opportunity in the short term to enhance this area.







LEGAL DESCRIPTION:

PP# 541711458010: 000215 S THIRD AVENUE: C. D. STIMSON AND CO.'S ADDITION -- LOT 14. PP# 541711458016: 000807 COLBURN AVENUE: C. D. STIMSON AND CO.'S ADDITION -- LOT 15

2. The variance on the property we are requesting is due to the distressed nature of the structure. We are hoping to rehabilitate and revamp the area to clean the community up and provide affordable housing. This property is currently Zoned C-3 and the attached lot is also C-3 and grandfathered in for a rental. We love the zoning it has and have no desire to change it permanently. That is due to plans of clearing all structures and using it for business in the future. However, in the meantime unless the variance is permitted to fix the abandoned structure it does not make sense for us to demolish it until we are ready to use it for a commercial space. If it pleases the Board, we would love to invest \$30,000 in the already existing structure that was once a home and bring it back to life. That way it will allow us to provide a rental to the community. My wife and I have renovated over a dozen homes in Big Rapids and so we have the means necessary to finish the project in a timely manner that will increase our property value but also increase the value in the neighborhood. Again, we are looking forward to developing commercial property in the future and we hope you will grant the variance to clean this property up in the meantime.

3. See attached sketch of lot lines and structures.

4. The proposed use is the use the abandoned structure as a single-family rental.



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STAFF REPORT TO THE ZONING BOARD OF APPEALS

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TO: Zoning Board of Appeals  
FROM: Michelle Stenger, Community Development Director  
Joey Walker, Planning and Zoning Technician  
SUBJECT: 807 Colburn Use Variance  
DATE: August 24, 2023

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**Introduction**

On July 26, 2023, the Community Development Department received a Zoning Board of Appeals Application from Jotham and Kati Lenau requesting a use variance for the property located at 807 Colburn Avenue. (17-11-458-016)

**The Property**

The parcel 17-11-458-016, commonly known as 807 Colburn Avenue, is a commercial property located in C-3, Commercial District. The surrounding properties are also zoned C-3. The proposed variance would allow the property to be used for residential purposes.

The property is currently conforming in its use for storage. There are no active Code Enforcement investigations of the property.

**The Case**

The C-3 district does not allow for residential use. Given that the structure located at 807 Colburn was built for residential purposes and in the past used for on-conforming residential purposes, the applicants have requested a use variance to allow this use again.

Since losing its non-conformity, the property has fallen into disrepair, and would need significant modifications and renovations to be used for either commercial or residential use other than storage.

**Variances**

Section 13.5 of the Zoning Ordinance address Variances in the City of Big Rapids:

Upon application of an appeal, the ZBA may grant a variance from the terms of this Ordinance which will not be contrary to the public interest, and where because of special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship or practical difficulty to the property owner, and so that the spirit of this Ordinance shall be observed, and substantial justice done. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance. In granting a variance, the ZBA may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in the interest of furtherance of the purpose of this Ordinance, provided the conditions are necessary to:

- (1) Ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically viable manner.

**Use Variance Standards**

Section 13.7 of the Zoning Ordinance addresses Use Variance Standards thusly:

While considering use variance requests, the applicant must present evidence to the ZBA to show that if the Zoning Ordinance is applied strictly, practical difficulty will result in the applicant and that:

- (1) That the property could not be reasonably used for the purposes permitted in that zone; and
- (2) That the appeal results from unique circumstances peculiar to the property and not from general neighborhood conditions; and
- (3) That the use requested by the variance would not alter the basic character of the area; and
- (4) That the alleged hardship has not been created by any person presently having an interest in the property; and

In granting the variance, the ZBA shall ensure that the spirit of the Ordinance is observed, public safety secured, and substantial justice done.

**Staff Recommendation and Analysis of Standards**

After due consideration of the property and the standards for approval of a use variance, staff is not in favor of granting the variance to Section 3.4 of the zoning ordinance as shown on the plans.

Section 13.7 Analysis:

- (1) The ordinance restrictions unreasonably prevent the property owner from using the property for a permitted purpose; and/or

<p>Supportive: The property was used for residential purposes before, and the structure was meant for residential use. It lost this nonconformity after falling into disrepair and applicants would like to improve the structure in order to restore this use.</p>	<p>Against: The property lost its non-conformity, which is not something municipalities would generally “give back” as it goes against the master plan and purposes of the zoning district the property is in. As the property needs to be updated, those updates could be to turn the property into a conforming use.</p>
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- (2) The variance would do substantial justice to the applicant, and possibly other property owners in the district, and a lesser relaxation of the regulations than that requested would not provide substantial relief to the property owner; and/or

Supportive: There are other non-conforming residential structures next to this property, and the owner would benefit from being able to use the structure for its original intent.	Against: A new rental property likely won't improve this district, and it would expand on existing non-conformity in a commercial district.
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- (3) The plight of the property owner is due to the unique circumstances of the property, and not a general condition of the neighborhood; and/or

Supportive: The structure as bought was originally intended for residential use.	Against: There are many examples of old structures that are not meant for their current zoning. Even improving on the structure would still be avoiding the districts intended purpose. The property sits near the corner of two significant roads and ideally a new structure could find commercial use there.
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- (4) The alleged practical difficulty has not been created by any person presently having an interest in the property; and

Supportive: The applicants did not build the structure, nor let its non-conformity lapse.	Against: Applicants knew the zoning district when purchasing the property and knew the limits on its use.
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**Action**

Three options lay before the Zoning Board of Appeals regarding variance requests: Approval, Approval with Conditions, and Denial. Explanations and sample motions are included below. When determining the proper motion, it is important to indicate how each item listed in Section 13.7 of the zoning ordinance has or has not been met.

**Approval**

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and grants the Variance as stated to the Applicant/property.

“I move that the use variance application for 807 Colburn Avenue (17-11-458-016) to allow for residential use be approved because it meets the standards set in Section 13.7 of the Zoning Ordinance.”

**Approval with Conditions**

**(If the board were to approve, consider which residential district limits might be applied.)**

An approval with conditions motion is appropriate when the Application meets the Standards set in Section 13.7 of the Zoning Ordinance, but the Zoning Board of Appeals members believe a

few conditions or alterations are required to adhere to the standards of Section 13.5. This motion approves the Application contingent upon the listed conditions.

“I move that the use variance application for 807 Colburn Avenue (17-11-458-016) be approved to allow residential use. The Application meets the standards set in Sections 13.5 and 13.7 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

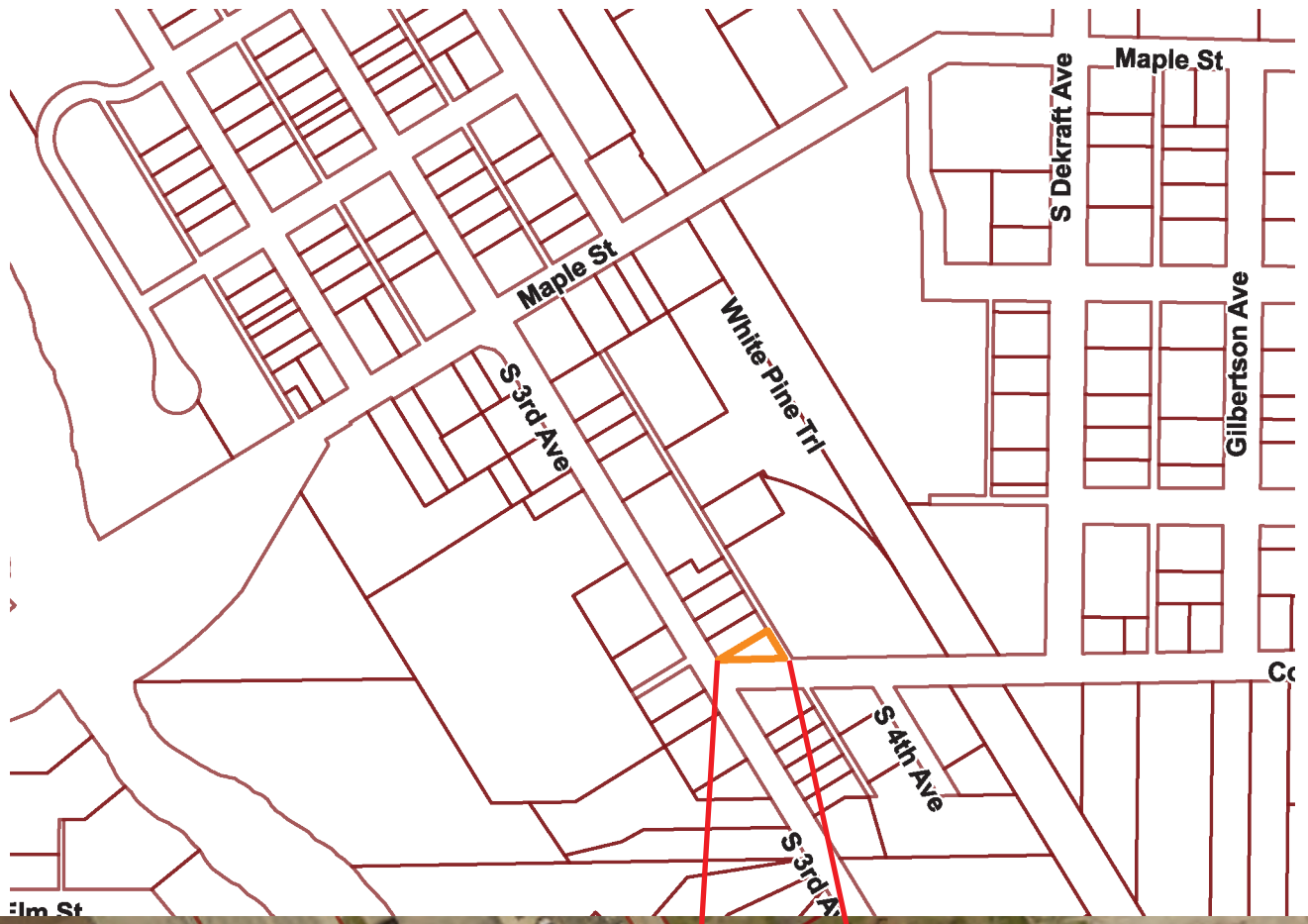
The following conditions are required to address this need: *(list conditions here.)*

[Note: *The ZBA may attach conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in the interest of furtherance of the purpose of the Zoning Ordinance to meet the conditions above.*]

#### Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance. This motion ends the application process.

“I move that the use variance application for 807 Colburn Avenue (17-11-458-016) to allow the residential use of the structure be denied because it does not meet Standard 13.7:(X) of the Zoning Ordinance. *(Fill in the X with the Number and Standard which the application fails to meet.)*”







**City of Big Rapids  
Community Development Department  
Zoning Board of Appeals Application**

Phone: (231) 592-4035

Website: [www.cityofbr.org](http://www.cityofbr.org)

The City of Big Rapids Zoning Board of Appeals meets as needed on the fourth Thursday of each month at 6:30 p.m. at City Hall, 226 N. Michigan Avenue, Big Rapids MI.

**Materials related to requests for Board action, including any required fees, must be filed with the Neighborhood Services Department. Questions may be directed to the Zoning Administrator at (231) 592-4057.**

Filing requests which are not complete or which are not filed by the meeting deadline, as determined by the Zoning Administrator, will not be placed on the agenda of the respective Board meeting, nor will they be considered at the respective Board meeting.

Variance requests will not be granted unless all conditions, as applicable, set forth in section 13 of the City of Big Rapids Zoning Ordinance as amended are met. **It is imperative that the applicant demonstrate to the Board that each of these conditions are met.**

A public hearing will be held for all requests to the ZBA, to hear any comments either in favor or in opposition or any suggestions for modification prior to the board's decision. All properties within 300 feet of the applicant property will be notified via mail. A notice is also published in the local paper. The applicant must attend the meeting and be prepared to explain the request.

The filing deadline is required to allow sufficient time for review of the application by staff, notices of public hearing to be mailed, and independent review by all members of the board.

Filing Deadlines are established at **21 calendar days** prior to the Board meetings:

Filing Deadline		Meeting Date	
January	5, 2023	January	26, 2023
February	2, 2023	February	22, 2023
March	2, 2023	March	22, 2023
April	6, 2023	April	26, 2023
May	4, 2023	May	24, 2023
June	1, 2023	June	21, 2023
July	6, 2023	July	26, 2023
August	3, 2023	August	23, 2023
September	7, 2023	September	27, 2023
October	5, 2023	October	25, 2023
November	2, 2023	November	30, 2023
December	4, 2023	December	28, 2023
January	4, 2024	January	25, 2024



**City of Big Rapids**

**Community Development Department  
Zoning Board of Appeals Application**

**Application Date:** July 28, 2023 \_\_\_\_\_

**Applicant Information:**

<b>Name:</b> Signworks of Michigan, Inc.
<b>Address:</b> 4612 44th Street SE, Grand Rapids, MI 49512
<b>Phone Number:</b> 616-954-2554

**Property Owner Information: (Complete only if different from above)**

<b>Name:</b> Spectrum Health Big Rapids
<b>Address:</b> 100 Michigan Street NE MC 498, Grand Rapids, MI 49503
<b>Phone Number:</b> N/A

**Zoning Variance Information:**

<b>Variance Requested:</b>
26.18 SFT temporary banner and 15.82 SFT temporary banner.
<b>Variance Address:</b> 605 Oak Street, Big Rapids, MI 49307
<b>Parcel Number:</b> 17-14-178-001

**Please submit all of the following information as attachments:**

1. A legal description of the property in question.
2. A detailed explanation of why a variance is necessary on this property
3. A detailed sketch plan of the property indicating present conditions and areas where the proposed variance(s) will be utilized. As part of this plan list lot dimensions, property lines, building/structures sizes, and all natural features.
4. The proposed use of any new buildings/structures.
5. Eight (8) copies of all application materials.
6. Application fee of \$200.00

All information required for submission of an application as indicated above has been provided. I certify that I have read and do understand the procedures for the City of Big Rapids Zoning Board of Appeals requests.

*Andrew Castillo*

\_\_\_\_\_  
Signature of applicant or property owner

Email: [acastillo@signworksofmi.com](mailto:acastillo@signworksofmi.com)

July 28, 2023

City of Big Rapids,  
Department of Community Development  
226 North Michigan Avenue  
Big Rapids, MI, 49307

RE: Review Standards Zoning Ordinance for Corewell Health, 605 Oak Street, Big Rapids, MI, 49307

1. Legal Description of Property

Overview - MECOSTA COUNTY MEDICAL CENTER is an entity in Big Rapids, Michigan registered with the System for Award Management (SAM) of U.S. General Services Administration (GSA). The entity was registered on September 11, 2009, with Unique Entity ID (UEI) #XTV8GJPDCTL5, activated on January 26, 2022, expiring on February 23, 2023, and the business was started on January 1, 1926. The registered business location is at 605 Oak St, Big Rapids, MI 49307-2048. The entity structure is 2A - U.S. Government Entity. The business types are 12 - U.S. Local Government, 80 - Hospital, C7 - County. The officers of the entity include Heather Zak.

2. Explanation for a variance

Dear Members of the Zoning Board of Appeals,

I am writing to formally request authorization for the installation of two temporary banners at Spectrum Health Big Rapids Hospital. The purpose of these banners is to showcase the upcoming rebranding of Spectrum Health to Corewell Health, which will be the new face of Beaumont Health (8 hospitals), Spectrum Health Lakeland (49 hospitals), and Spectrum Health (11 hospitals).

As you may already be aware, temporary banners serve a crucial purpose in facilitating navigation for individuals in unfamiliar settings, particularly during emergency situations or medical visits. Considering this, we firmly believe that the installation of one 26.18 square foot banner and one 15.82 square foot banner is imperative to disseminating awareness regarding the significant change at hand. The temporary banners is anticipated to remain in place for a duration of 4 months, as we await the production of permanent signage, although this timeline may be subject to change based on the swiftness of permanent signage production.

In addition, we would like to draw your attention to the size of the building itself. The façade is notably large, and an 8 sq ft banner would not effectively promote the news from a distance. Therefore, we find it necessary to manufacture and install a banner of the aforementioned size to complement the building's dimensions.

Furthermore, it is essential to note that for the general health, safety, and welfare of the public, they need to be aware of such change to find the correct hospital location. We wish to avoid any potential



confusion and believe that the installation of a banner will significantly aid in ensuring that all patients become aware of the name change and any necessary adjustments.

Our team at Signworks of Michigan has worked on various similar projects throughout the state, with approval granted in eight locations as of 7/28/2023. The installation of sizable signage has been deemed necessary in other cities, and we believe that this project will serve the same purpose here.

Thank you for your time and consideration of this matter. We look forward to hearing back from you soon.

Andrew Castillo

Signworks of Michigan, Inc.

SITE:

CH001

# Signage Recommendation

E-01

## Context

Location: Main Entrance  
(East & West Elevations)

Responsibility: Sign Vendor

Permitting: May be required

## Recommendation Notes

\*Technical survey to be conducted.

Recommend the removal of existing monument sign & foundation. Replace with new monument sign & foundation. Foundation to include concrete pad protecting the sign from the elements.

## Existing

Type: D/F Monument

Quantity: 1

Illumination: Illuminated **VIF**

Attachment: Ground Footing

Overall Height: 68.25" [5'-8 1/4"] **VIF**

Overall Width: 78.5" [6'-6 1/2"] **VIF**

Height: 68.25" [5'-8 1/4"] **VIF**

Width: 78.5" [6'-6 1/2"] **VIF**

Sign Depth: 9" **VIF**

Mounting Height: n/a

Existing Notes: Existing copy is push-thru.

## Recommended Action

Action: Replace

Approach: Demo existing monument sign, remove and scrap. Hydrovac hole, add new foundation w/ 6" concrete pad, bury / backfill to cover. Install new monument sign.

Make Good: Level out and return soil to existing grade after installation of sign.

## New

Type: D/F Monument Sign

Quantity: 1

Illumination: Illuminated

Attachment: New Ground Footing

Sign Code: COH-MN-B-80-60-I

Asset Height: 80" [6'- 8"] **VIF**

Asset Width: 60" [5'- 0"] **VIF**

Mounting Height: In place of existing

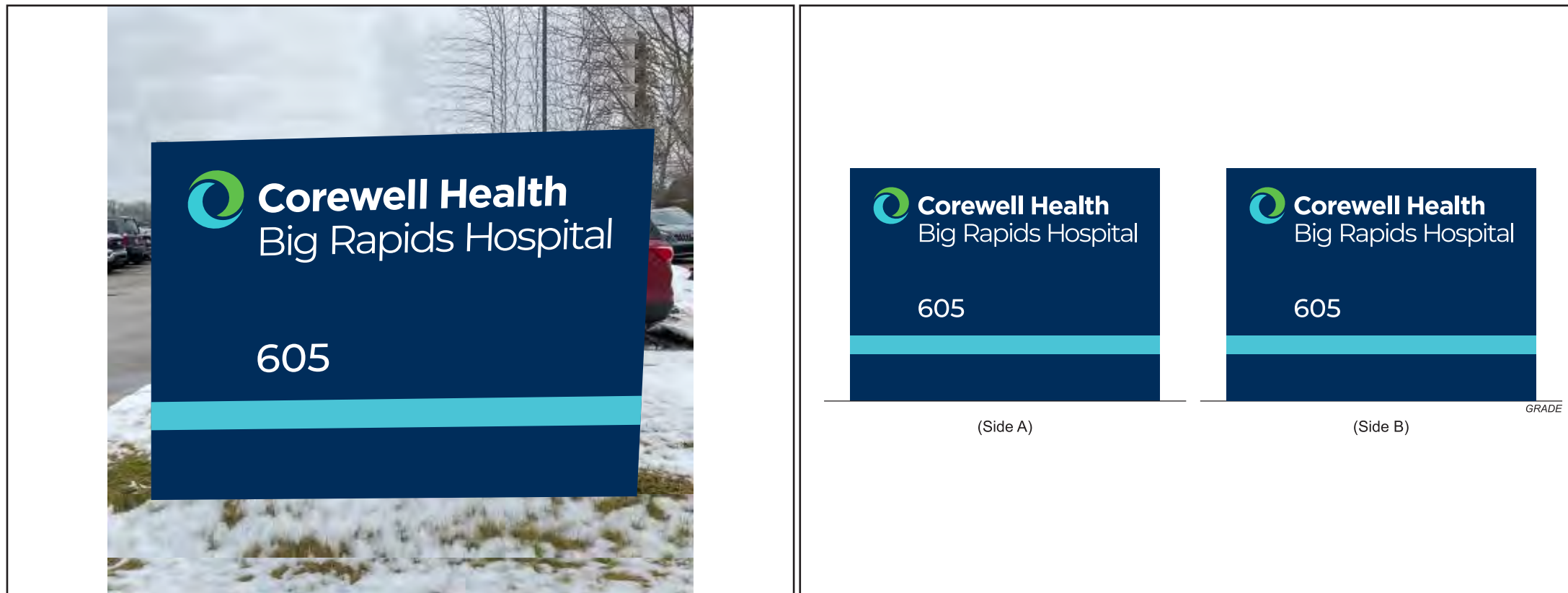
\*Full clear space rule followed



Existing - Image 1 (Side A)

Existing - Image 2 (Zoomed View)

Existing - Image 3 (Side B)



Concept Rendering

Sign Artwork



SITE:

CH001

# Signage Recommendation

E-68

## Context

Location: Main Entrance  
(South Elevation)  
Responsibility: Sign Vendor  
Permitting: May be required

## Recommendation Notes

\*Technical survey to be conducted; Paint color to be matched or supplied.  
Recommend the removal of existing illuminated letters & logo.  
Replace with new illuminated dimensional letters & logo.

## Existing

Type: Dimensional Letters & Logo  
Quantity: 1  
Illumination: Illuminated **VIF**  
Attachment: Fasteners from behind  
Overall Height: **VIF**  
Overall Width: **VIF**  
Height: **VIF**  
Width: **VIF**  
Sign Depth: **VIF**  
Mounting Height: **VIF**  
Existing Notes: **VIF**

## Recommended Action

Action: Replace

Approach: Remove and dispose existing letters & logo.  
Install new dimensional letters & logo as a replacement.

Make Good: Open wall to be patched and hand roller painted from break to break prior to installation.

## New

Type: Channel Letters  
Quantity: 1  
Illumination: Illuminated  
Attachment: Flush  
Sign Code: COH-CL-B-C-135.875-30.8125-I  
Asset Height: Letters: 9-1/4" / Logo: 19" [1'-6"] **VIF**  
Asset Width: Letters: 112-3/4" [9'-4 3/4"] / Logo: 19-1/4" [1'-6 1/4"] **VIF**  
Mounting Height: In place of existing.

\*Full clear space rule followed



Existing - Image 1



Existing - Image 2 (Zoomed View)



Existing - Image 3



Concept Rendering



Sign Artwork



SITE:

CH001

# Signage Recommendation

E-69

### Context

Location: Birthing Center Entrance  
(East Elevation)  
Responsibility: Sign Vendor  
Permitting: May be required

### Recommendation Notes

\*Technical survey to be conducted.  
Recommend the removal of existing 'Spectrum logo lockup' illuminated letters & logo.  
Replace with new illuminated letters & logo.

### Existing

Type: Dimensional Letters & Logo  
Quantity: 1  
Illumination: Illuminated **VIF**  
Attachment: Fasteners from behind  
Overall Height: **VIF**  
Overall Width: **VIF**  
Height: **VIF**  
Width: **VIF**  
Sign Depth: **VIF**  
Mounting Height: **VIF**  
Existing Notes: **VIF**

### Recommended Action

Action: Replace  
Approach: Remove and dispose existing letters, logo & 'Birthing Center'. Install new letters set as replacement.  
Make Good: Pressure wash brick prior to installation. Ensure electrical route is within 6ft of sign.

### New

Type: Channel Letters  
Quantity: 1  
Illumination: Illuminated  
Attachment: Flush  
Sign Code: COH-CL-B-W-60-13.625-I  
Asset Height: Letters: 4" / Logo: 8-3/8" **VIF**  
Asset Width: Letters: 49-3/4" [4'-1 3/4"] / Logo: 8" **VIF**  
Mounting Height: **VIF**

\*Full clear space rule followed



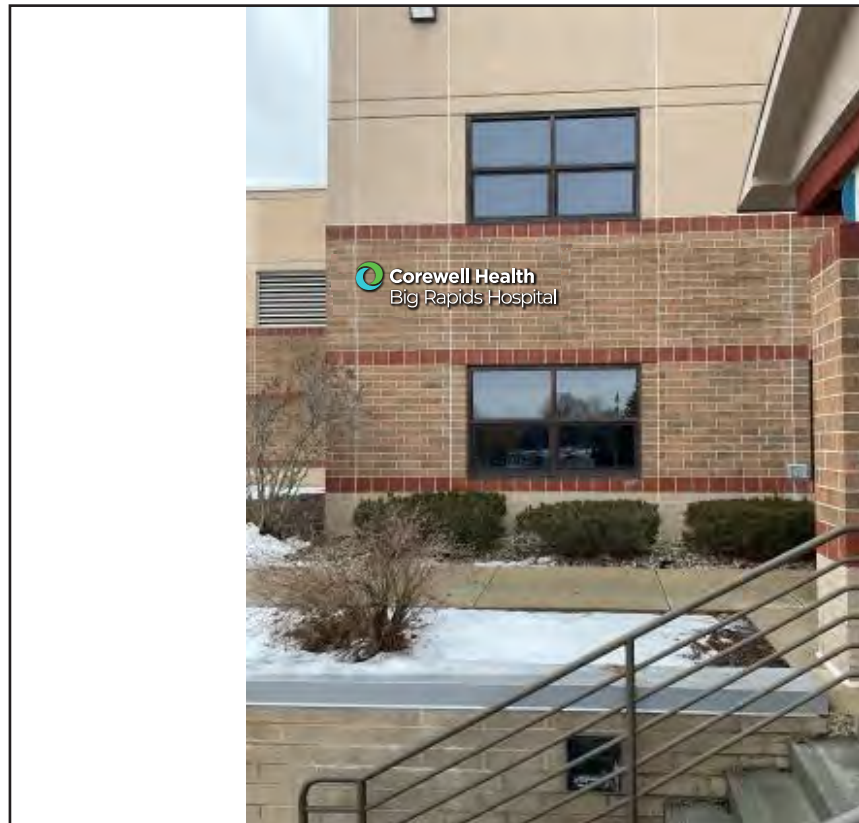
Existing - Image 1



Existing - Image 2 (Zoomed View)



Existing - Image 3



Concept Rendering



Sign Artwork

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STAFF REPORT TO THE ZONING BOARD OF APPEALS

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TO: Zoning Board of Appeals  
FROM: Michelle Stenger, Community Development Director  
Joey Walker, Planning and Zoning Technician  
SUBJECT: 605 Oak Street Non-Use Variance  
DATE: August 24, 2023

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**Introduction**

On July 28, 2023, the Community Development Department received a Zoning Board of Appeals Application from Andrew Castillo, representative of Signworks of Michigan, Inc. on behalf of Corewell Health, requesting a non-use variance for the property located at 605 Oak Street (17-14-178-001)

**The Property**

The parcel 17-14-178-001, commonly known as 605 Oak Street, is one of the several properties that make up the Spectrum Health Big Rapids Hospital. All of the properties as well as the surrounding area are zoned R-1 residential. The proposed variance would allow variances to several requirements for signage in the R-1 district.

There are no active Code Enforcement investigations of the property.

**The Case**

The R-1 district is intended for single family residential use but allows hospitals as a special use. The R-1 also has strict signage tolerance as it is not intended for commercial use.

With the coming rebranding from Spectrum Health to Corewell Health, it is the Community Development Department's understanding that the applicants have a legal obligation to begin making changes to the signage. Some of these changes will include temporary banners and vinyl covering for current signage, until new signage can be installed. Both the temporary banners and the new permanent signs will require variances for the total number of signs, and the dimensions of some signs.

605 Oak Signs Requiring Variance (See Site Plan CH001):

Sign Number	Sign Type	Proposed Size/Number	Ordinance Standards
E-01	Ground/Freestanding	33 square feet	24 square feet
E-68	Wall	14.8 square feet	12 square feet
E-68	Wall	2 signs	1 sign
E-69	Wall	2 signs	1 sign

**Variances**

Section 13.5 of the Zoning Ordinance address Variances in the City of Big Rapids:

Upon application of an appeal, the ZBA may grant a variance from the terms of this Ordinance which will not be contrary to the public interest, and where because of special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship or practical difficulty to the property owner, and so that the spirit of this Ordinance shall be observed, and substantial justice done. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance. In granting a variance, the ZBA may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in the interest of furtherance of the purpose of this Ordinance, provided the conditions are necessary to:

- (1) Ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically viable manner.

### **Non-Use Variance Standards**

Section 13.6 of the Zoning Ordinance addresses Use Variance Standards thusly:

While considering non-use variance requests, the applicant must present evidence to the ZBA to show that if the Zoning Ordinance is applied strictly, practical difficulty will result in the applicant and that:

- (1) The ordinance restrictions unreasonably prevent the property owner from using the property for a permitted purpose; and/or
- (2) The variance would do substantial justice to the applicant, and possibly other property owners in the district, and a lesser relaxation of the regulations than that requested would not provide substantial relief to the property owner; and/or
- (3) The plight of the property owner is due to the unique circumstances of the property, and not a general condition of the neighborhood; and/or
- (4) The alleged practical difficulty has not been created by any person presently having an interest in the property; and

In granting the variance, the ZBA shall ensure that the spirit of the Ordinance is observed, public safety secured, and substantial justice done.

### **Staff Recommendation and Analysis of Standards**

After due consideration of the property and the standards for approval of a non-use variance, staff is recommending the approval of the proposed signage package.

Section 13.6 Analysis:

- (1) The ordinance restrictions unreasonably prevent the property owner from using the property for a permitted purpose; and/or

Supportive: Hospitals are a permitted special use in the R-1 district, but the signage ordinance does not consider the needs of a large hospital.	Against: N/A
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- (2) The variance would do substantial justice to the applicant, and possibly other property owners in the district, and a lesser relaxation of the regulations than that requested would not provide substantial relief to the property owner; and/or

Supportive: The hospital is a public good as much as it is a commercial operation. Most of the changes to the signage are cosmetic and will not present a significant change for neighboring properties.	Against: N/A
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- (3) The plight of the property owner is due to the unique circumstances of the property, and not a general condition of the neighborhood; and/or

Supportive: A hospital is a permitted special use in the R-1 district, so while it is permitted the ordinance does not necessarily consider this type of use's needs.	Against: N/A
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- (4) The alleged practical difficulty has not been created by any person presently having an interest in the property; and

Supportive: The hospital is permitted via special use in the R-1 district, and its hardships are created by the regulations of said district.	Against: N/A
---	--------------

**Action**

Three options lay before the Zoning Board of Appeals regarding variance requests: Approval, Approval with Conditions, and Denial. Explanations and sample motions are included below. When determining the proper motion, it is important to indicate how each item listed in Section 13.6 of the zoning ordinance has or has not been met.

Approval

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and grants the Variance as stated to the Applicant/property.

“I move that the use variance application for 605 Oak Street (17-14-178-001) to allow the proposed signage package and variances to Sections 6.4:1 and 6.4:2 of the zoning ordinance be approved and because it meets the standards set in Section 13.6 of the Zoning Ordinance.”

#### Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards set in Section 13.6 of the Zoning Ordinance, but the Zoning Board of Appeals members believe a few conditions or alterations are required to adhere to the standards of Section 13.5. This motion approves the Application contingent upon the listed conditions.

“I move that the non-use variance application for 605 Oak Street (17-14-178-001) be approved to allow the proposed signage package and variances to Sections 6.4:1 and 6.4:2 of the zoning ordinance. The Application meets the standards set in Sections 13.5 and 13.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: *(list conditions here.)*

[Note: *The ZBA may attach conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in the interest of furtherance of the purpose of the Zoning Ordinance to meet the conditions above.*]

#### Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance. This motion ends the application process.

“I move that the use variance application for 605 Oak Street (17-14-178-001) to allow the proposed signage package and variances to Sections 6.4:1 and 6.4:2 of the zoning ordinance to be denied because it does not meet Standard 13.6:(X) of the Zoning Ordinance. *(Fill in the X with the Number and Standard which the application fails to meet.)*”





**City of Big Rapids  
Community Development Department  
Zoning Board of Appeals Application**

Phone: (231) 592-4035

Website: [www.cityofbr.org](http://www.cityofbr.org)

The City of Big Rapids Zoning Board of Appeals meets as needed on the fourth Thursday of each month at 6:30 p.m. at City Hall, 226 N. Michigan Avenue, Big Rapids MI.

**Materials related to requests for Board action, including any required fees, must be filed with the Neighborhood Services Department. Questions may be directed to the Zoning Administrator at (231) 592-4057.**

Filing requests which are not complete or which are not filed by the meeting deadline, as determined by the Zoning Administrator, will not be placed on the agenda of the respective Board meeting, nor will they be considered at the respective Board meeting.

Variance requests will not be granted unless all conditions, as applicable, set forth in section 13 of the City of Big Rapids Zoning Ordinance as amended are met. **It is imperative that the applicant demonstrate to the Board that each of these conditions are met.**

A public hearing will be held for all requests to the ZBA, to hear any comments either in favor or in opposition or any suggestions for modification prior to the board's decision. All properties within 300 feet of the applicant property will be notified via mail. A notice is also published in the local paper. The applicant must attend the meeting and be prepared to explain the request.

The filing deadline is required to allow sufficient time for review of the application by staff, notices of public hearing to be mailed, and independent review by all members of the board.

Filing Deadlines are established at **21 calendar days** prior to the Board meetings:

Filing Deadline		Meeting Date	
January	5, 2023	January	26, 2023
February	2, 2023	February	22, 2023
March	2, 2023	March	22, 2023
April	6, 2023	April	26, 2023
May	4, 2023	May	24, 2023
June	1, 2023	June	21, 2023
July	6, 2023	July	26, 2023
August	3, 2023	August	23, 2023
September	7, 2023	September	27, 2023
October	5, 2023	October	25, 2023
November	2, 2023	November	30, 2023
December	4, 2023	December	28, 2023
January	4, 2024	January	25, 2024



**City of Big Rapids**

**Community Development Department  
Zoning Board of Appeals Application**

**Application Date:** \_\_\_\_\_

**Applicant Information:**

**Name:** Signworks of Michigan, Inc.

**Address:** 4612 44th Street SE, Grand Rapids, MI 49512

**Phone Number:** 616-954-2554

**Property Owner Information: (Complete only if different from above)**

**Name:** Spectrum Health Big Rapids

**Address:** 100 Michigan Street NE, Grand Rapids

**Phone Number:**

**Zoning Variance Information:**

**Variance Requested:**

Two monuments and one wall sign

**Variance Address:** 650 Linden Street

**Parcel Number:** 17-14-134-007

**Please submit all of the following information as attachments:**

1. A legal description of the property in question.
2. A detailed explanation of why a variance is necessary on this property
3. A detailed sketch plan of the property indicating present conditions and areas where the proposed variance(s) will be utilized. As part of this plan list lot dimensions, property lines, building/structures sizes, and all natural features.
4. The proposed use of any new buildings/structures.
5. Eight (8) copies of all application materials.
6. Application fee of \$200.00

All information required for submission of an application as indicated above has been provided. I certify that I have read and do understand the procedures for the City of Big Rapids Zoning Board of Appeals requests.

*Andrew Castillo*

Signature of applicant or property owner

Email: [acastillo@signworksofmi.com](mailto:acastillo@signworksofmi.com)

July 28, 2023

City of Big Rapids,  
Department of Community Development  
226 North Michigan Avenue  
Big Rapids, MI, 49307

RE: Review Standards Zoning Ordinance for Corewell Health, 650 Linden Street, Big Rapids, MI, 49307

1. Legal Description of Property

Overview - MECOSTA COUNTY MEDICAL CENTER is an entity in Big Rapids, Michigan registered with the System for Award Management (SAM) of U.S. General Services Administration (GSA). The entity was registered on September 11, 2009, with Unique Entity ID (UEI) #XTV8GJPDCTL5, activated on January 26, 2022, expiring on February 23, 2023, and the business was started on January 1, 1926. The registered business location is at 605 Oak St, Big Rapids, MI 49307-2048. The entity structure is 2A - U.S. Government Entity. The business types are 12 - U.S. Local Government, 80 - Hospital, C7 - County. The officers of the entity include Heather Zak.

2. Explanation for a variance

Dear Members of the Zoning Board of Appeals,

I am writing to formally request authorization for the installation of two updated monuments and one updated wall sign at Spectrum Health Big Rapids Hospital. The purpose of new signage is to showcase the upcoming rebranding of Spectrum Health to Corewell Health, which will be the new face of Beaumont Health (8 hospitals), Spectrum Health Lakeland (49 hospitals), and Spectrum Health (11 hospitals). The signage will undergo a comprehensive update, featuring the incorporation of the "Spectrum Health" branding. In order to adhere to the stipulations set in each past variance concerning these signs, Jones Sign and Signworks will ensure to retain the present measurements for the updated signs. This approach guarantees an easy transition while upholding the continuity and compliance with relevant regulations.

Thank you for your time and consideration of this matter. We look forward to hearing back from you soon.

Andrew Castillo

Signworks of Michigan, Inc.



SITE:

# CH002 Signage Recommendation

E-01

### Context

Location: North Entrance  
(East & West Elevations)

Responsibility: Sign Vendor

Permitting: n/a

### Recommendation Notes

\*Technical survey to be conducted.

Recommend the removal of existing monument sign & foundation.  
Replace with new pylon sign & foundation.

**NOTE: Walk-In and Family Med is moving out.**

### Existing

Type: D/F Monument  
Quantity: 1  
Illumination: Internal LEDs  
Attachment: Ground footing  
Overall Height: 96"  
Overall Width: 84"  
Height: 96"  
Width: 84"  
Sign Depth: 14"  
Mounting Height: n/a  
Existing Notes: n/a

### Recommended Action

Action: Replace

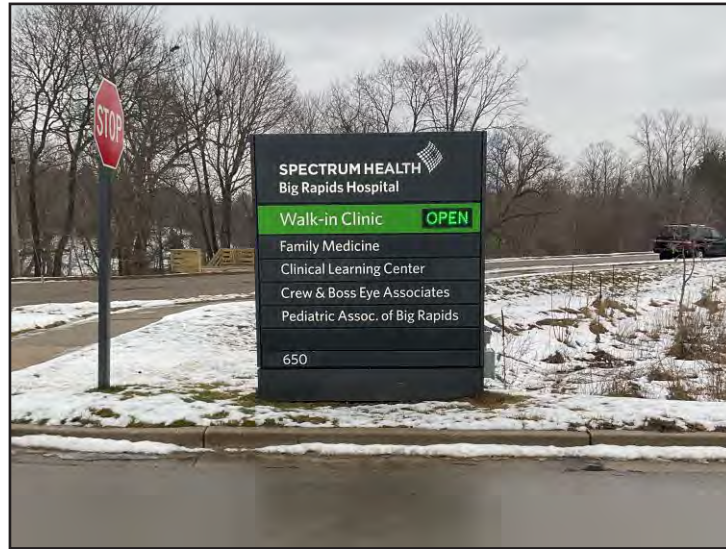
Approach: Demo existing monument sign, remove and scrap. Hydrovac hole, add new foundation. Install new pylon sign.

Make Good: Level out and return soil to existing grade after installation of sign.

### New

Type: Monument  
Quantity: 1  
Illumination: Illuminated  
Attachment: New Ground Footing  
Sign Code: COH-PY-B-60-96-I  
Asset Height: 96" [8'-0"]  
Asset Width: 60" [5'-0"]  
Mounting Height: In place of existing

\*Full clear space rule followed



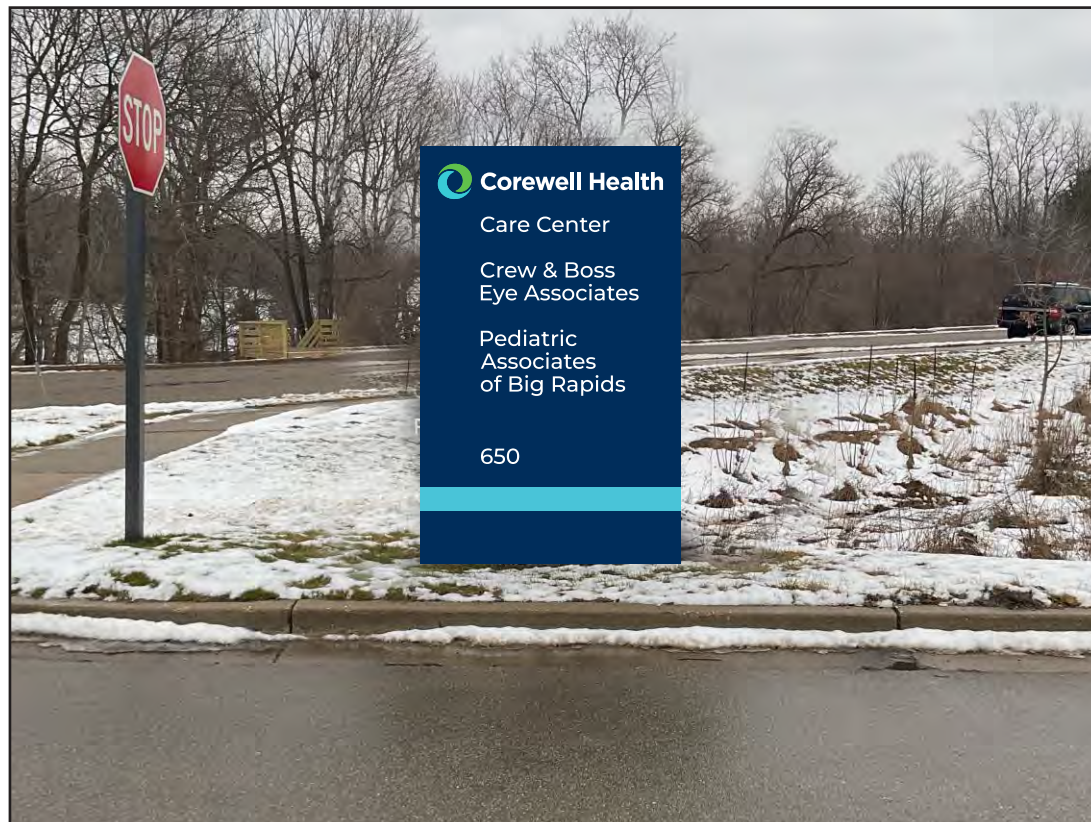
Existing - Image 1 (West Side)



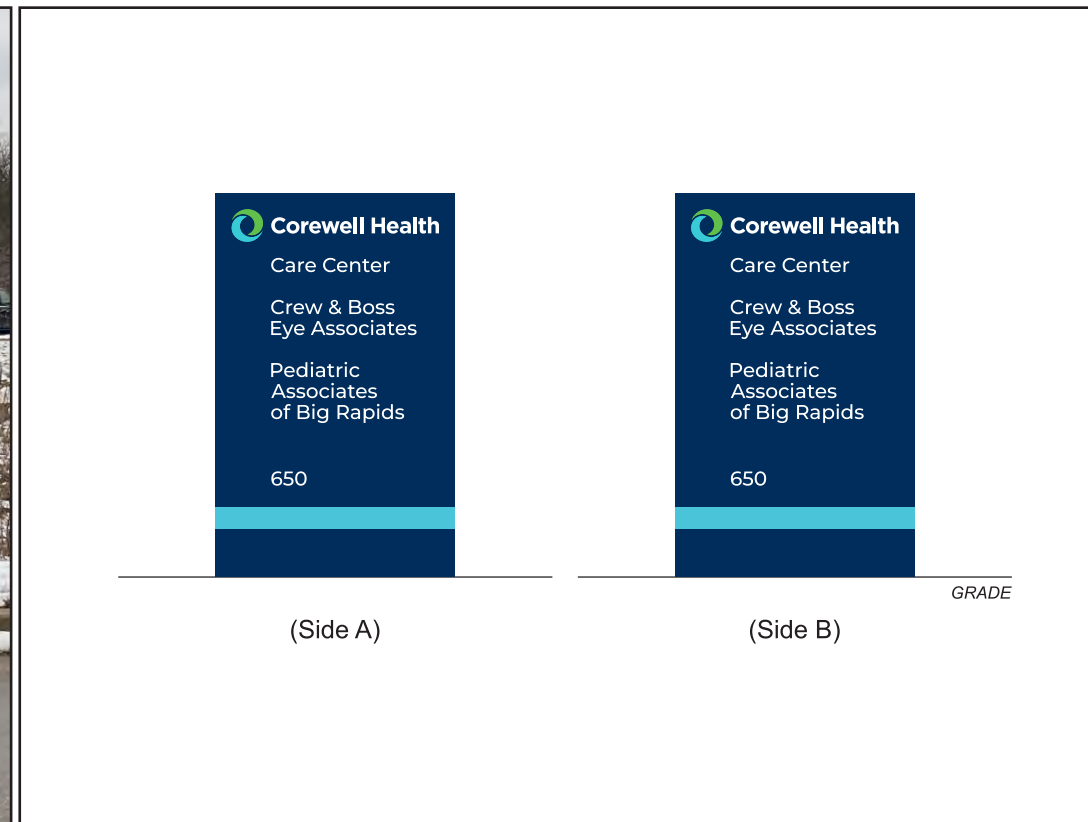
Existing - Image 2 (Side View)



Existing - Image 3 (East Side)



Concept Rendering



Sign Artwork



SITE:

# CH002 Signage Recommendation

E-02

### Context

Location: South Entrance  
(East & West Elevations)

Responsibility: Sign Vendor

Permitting: n/a

### Recommendation Notes

\*Technical survey to be conducted.

Recommend the removal of existing monument sign & foundation.  
Replace with new pylon sign & foundation.

### Existing

Type: D/F Monument  
Quantity: 1  
Illumination: Internal LEDs  
Attachment: Ground footing  
Overall Height: 96"  
Overall Width: 84"  
Height: 96"  
Width: 84"  
Sign Depth: 14"  
Mounting Height: n/a  
Existing Notes: n/a

### Recommended Action

Action: Replace

Approach: Demo existing monument sign, remove and scrap. Hydrovac hole, add new foundation. Install new pylon sign.

Make Good: Level out and return soil to existing grade after installation of sign.

### New

Type: Monument  
Quantity: 1  
Illumination: Illuminated  
Attachment: New Ground Footing  
Sign Code: COH-PY-B-60-96-I  
Asset Height: 96" [8'-0"]  
Asset Width: 60" [5'-0"]  
Mounting Height: In place of existing

\*Full clear space rule followed



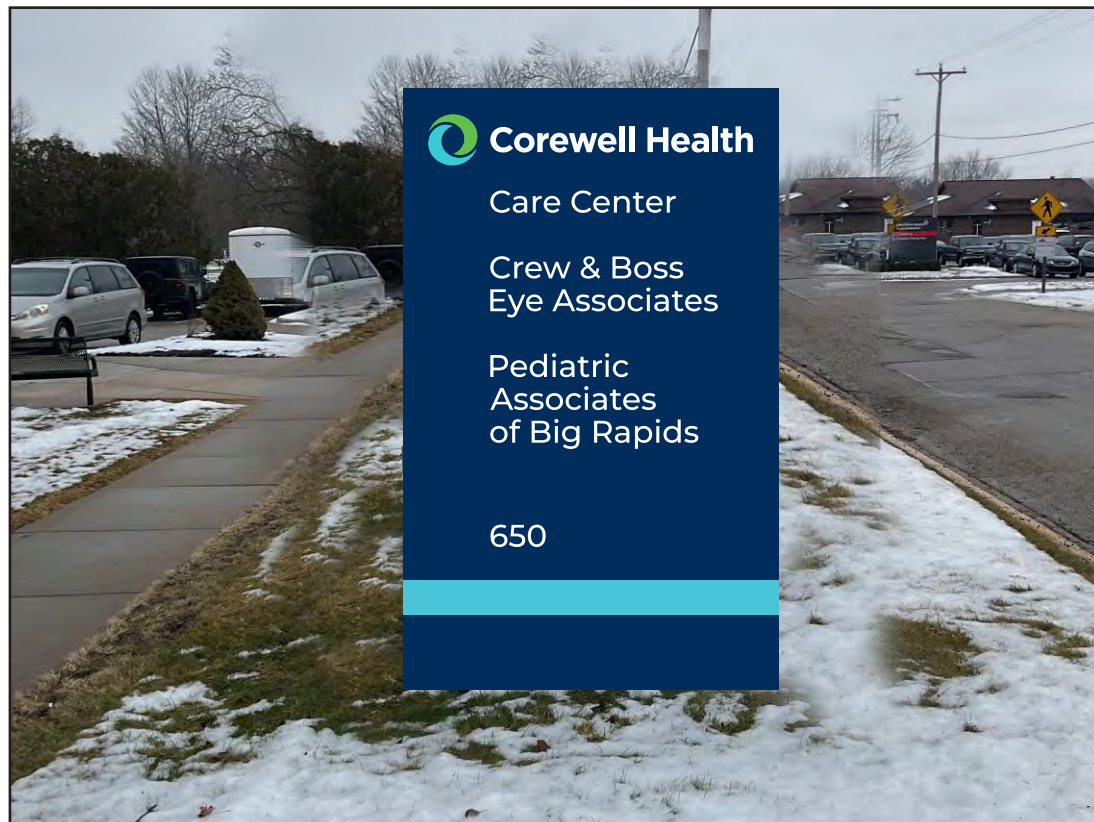
Existing - Image 1 (Side A)



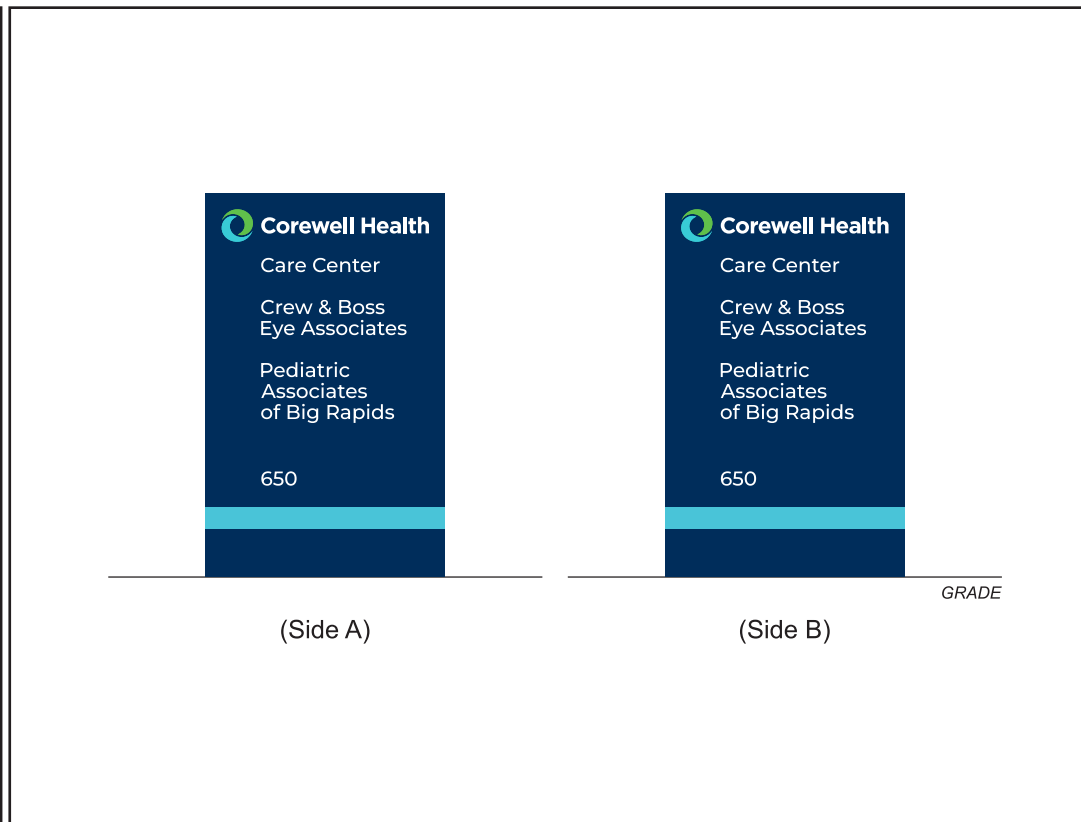
Existing - Image 2 (Angled View)



Existing - Image 3 (Side B)



Concept Rendering



Sign Artwork



SITE:

# CH002 Signage Recommendation

E-27

### Context

Location: Main Entrance  
(North Elevation)  
Responsibility: Sign Vendor  
Permitting: May Be Required

### Recommendation Notes

\*Technical survey to be conducted.  
Recommend the removal of existing 'Spectrum logo lockup' & 'Medical Arts Building' illuminated letters. Replace with new illuminated letters & logo.

### Existing

Type: Channel Letters  
Quantity: 1  
Illumination: Internal LEDs  
Attachment: Flush mount with fasteners  
Overall Height: **VIF**  
Overall Width: **VIF**  
Height: **VIF**  
Width: **VIF**  
Sign Depth: **VIF**  
Mounting Height: n/a  
Existing Notes: Wall material is brick.

### Recommended Action

Action: Replace  
Approach: Remove and dispose existing letters & logo. Install new letters set as replacement.  
Make Good: Pressure wash brick prior to installation. Ensure electrical route is within 6ft of sign.

### New

Type: Channel Letters  
Quantity: 1  
Illumination: Illuminated  
Attachment: Flush  
Sign Code: COH-CL-B-W-157.5-24.6-I  
Asset Height: Letters: 9" / Logo: 17-3/4" [1'-5 3/4"] **VIF**  
Asset Width: Letters: 91-5/8" [7'-7 5/8"] / Logo: 17" [1'-5"] **VIF**  
Mounting Height: **VIF**

\*Full clear space rule followed



Existing - Image 1



Existing - Image 2 (Zoomed View)



Existing - Image 3 (Angled View)



Concept Rendering



Sign Artwork

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STAFF REPORT TO THE ZONING BOARD OF APPEALS

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TO: Zoning Board of Appeals  
FROM: Michelle Stenger, Community Development Director  
Joey Walker, Planning and Zoning Technician  
SUBJECT: 650 Linden Street Non-Use Variance  
DATE: August 24, 2023

---

**Introduction**

On July 28, 2023, the Community Development Department received a Zoning Board of Appeals Application from Andrew Castillo, representative of Signworks of Michigan, Inc. on behalf of Corewell Health, requesting a non-use variance for the property located at 650 Linden Street (17-14-134-007)

**The Property**

The parcel 17-14-134-007, commonly known as 650 Linden Street, is one of the several properties that make up the Spectrum Health Big Rapids Hospital. All of the properties as well as the surrounding area are zoned R-1 residential. The proposed variance would allow variances to several requirements for signage in the R-1 district.

There are no active Code Enforcement investigations of the property.

**The Case**

The R-1 district is intended for single family residential use but allows hospitals as a special use. The R-1 also has strict signage tolerance as it is not intended for commercial use.

With the coming rebranding from Spectrum Health to Corewell Health, it is the Community Development Department's understanding that the applicants have a legal obligation to begin making changes to the signage. Some of these changes will include temporary banners and vinyl covering for current signage, until new signage can be installed. Both the temporary banners and the new permanent signs will require variances for the total number of signs, and the dimensions of some signs.

650 Linden Signs Requiring Variance (See Site Plan CH002):

Sign Number	Sign Type	Square feet/Number	Ordinance Standards
E-01 & E-02	Ground/Freestanding	2 signs	1 permitted
E-01 & E-02	Ground/Freestanding	40 square feet	24 square feet
E-27	Wall	Height not listed	10-foot limit

**Variances**

Section 13.5 of the Zoning Ordinance address Variances in the City of Big Rapids:

Upon application of an appeal, the ZBA may grant a variance from the terms of this Ordinance which will not be contrary to the public interest, and where because of special

conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship or practical difficulty to the property owner, and so that the spirit of this Ordinance shall be observed, and substantial justice done. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance. In granting a variance, the ZBA may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in the interest of furtherance of the purpose of this Ordinance, provided the conditions are necessary to:

- (1) Ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically viable manner.

### **Non-Use Variance Standards**

Section 13.6 of the Zoning Ordinance addresses Use Variance Standards thusly:

While considering non-use variance requests, the applicant must present evidence to the ZBA to show that if the Zoning Ordinance is applied strictly, practical difficulty will result in the applicant and that:

- (1) The ordinance restrictions unreasonably prevent the property owner from using the property for a permitted purpose; and/or
- (2) The variance would do substantial justice to the applicant, and possibly other property owners in the district, and a lesser relaxation of the regulations than that requested would not provide substantial relief to the property owner; and/or
- (3) The plight of the property owner is due to the unique circumstances of the property, and not a general condition of the neighborhood; and/or
- (4) The alleged practical difficulty has not been created by any person presently having an interest in the property; and

In granting the variance, the ZBA shall ensure that the spirit of the Ordinance is observed, public safety secured, and substantial justice done.

### **Staff Recommendation and Analysis of Standards**

After due consideration of the property and the standards for approval of a non-use variance, staff is recommending the approval of the proposed signage package.

Section 13.6 Analysis:



- (1) The ordinance restrictions unreasonably prevent the property owner from using the property for a permitted purpose; and/or

Supportive: Hospitals are a permitted special use in the R-1 district, but the signage ordinance does not consider the needs of a large hospital.	Against: N/A
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- (2) The variance would do substantial justice to the applicant, and possibly other property owners in the district, and a lesser relaxation of the regulations than that requested would not provide substantial relief to the property owner; and/or

Supportive: The hospital is a public good as much as it is a commercial operation. Most of the changes to the signage are cosmetic and will not present a significant change for neighboring properties.	Against: N/A
--	--------------

- (3) The plight of the property owner is due to the unique circumstances of the property, and not a general condition of the neighborhood; and/or

Supportive: A hospital is a permitted special use in the R-1 district, so while it is permitted the ordinance does not necessarily consider this type of use's needs.	Against: N/A
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- (4) The alleged practical difficulty has not been created by any person presently having an interest in the property; and

Supportive: The hospital is permitted via special use in the R-1 district, and its hardships are created by the regulations of said district.	Against: N/A
---	--------------

**Action**

Three options lay before the Zoning Board of Appeals regarding variance requests: Approval, Approval with Conditions, and Denial. Explanations and sample motions are included below. When determining the proper motion, it is important to indicate how each item listed in Section 13.6 of the zoning ordinance has or has not been met.

**Approval**

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and grants the Variance as stated to the Applicant/property.

“I move that the use variance application for 650 Linden Street (17-14-134-007) to allow the proposed signage package and variances to Sections 6.4:1 and 6.4:2 of the zoning ordinance be approved because it meets the standards set in Section 13.6 of the Zoning Ordinance.”

### Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards set in Section 13.6 of the Zoning Ordinance, but the Zoning Board of Appeals members believe a few conditions or alterations are required to adhere to the standards of Section 13.5. This motion approves the Application contingent upon the listed conditions.

“I move that the non-use variance application for 650 Linden Street (17-14-134-007) be approved to allow the proposed signage package and variances to Sections 6.4:1 and 6.4:2 of the zoning ordinance. The Application meets the standards set in Sections 13.5 and 13.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically desirable manner.

The following conditions are required to address this need: *(list conditions here.)*

[Note: *The ZBA may attach conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in the interest of furtherance of the purpose of the Zoning Ordinance to meet the conditions above.*]

### Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance. This motion ends the application process.

“I move that the use variance application for 650 Linden Street (17-14-134-007) to allow the proposed signage package and variances to Sections 6.4:1 and 6.4:2 of the zoning ordinance to be denied because it does not meet Standard 13.6:(X) of the Zoning Ordinance. *(Fill in the X with the Number and Standard which the application fails to meet.)*”



**City of Big Rapids  
Community Development Department  
Zoning Board of Appeals Application**

Phone: (231) 592-4035

Website: [www.cityofbr.org](http://www.cityofbr.org)

The City of Big Rapids Zoning Board of Appeals meets as needed on the fourth Thursday of each month at 6:30 p.m. at City Hall, 226 N. Michigan Avenue, Big Rapids MI.

**Materials related to requests for Board action, including any required fees, must be filed with the Neighborhood Services Department. Questions may be directed to the Zoning Administrator at (231) 592-4057.**

Filing requests which are not complete or which are not filed by the meeting deadline, as determined by the Zoning Administrator, will not be placed on the agenda of the respective Board meeting, nor will they be considered at the respective Board meeting.

Variance requests will not be granted unless all conditions, as applicable, set forth in section 13 of the City of Big Rapids Zoning Ordinance as amended are met. **It is imperative that the applicant demonstrate to the Board that each of these conditions are met.**

A public hearing will be held for all requests to the ZBA, to hear any comments either in favor or in opposition or any suggestions for modification prior to the board's decision. All properties within 300 feet of the applicant property will be notified via mail. A notice is also published in the local paper. The applicant must attend the meeting and be prepared to explain the request.

The filing deadline is required to allow sufficient time for review of the application by staff, notices of public hearing to be mailed, and independent review by all members of the board.

Filing Deadlines are established at **21 calendar days** prior to the Board meetings:

Filing Deadline		Meeting Date	
January	5, 2023	January	26, 2023
February	2, 2023	February	22, 2023
March	2, 2023	March	22, 2023
April	6, 2023	April	26, 2023
May	4, 2023	May	24, 2023
June	1, 2023	June	21, 2023
July	6, 2023	July	26, 2023
August	3, 2023	August	23, 2023
September	7, 2023	September	27, 2023
October	5, 2023	October	25, 2023
November	2, 2023	November	30, 2023
December	4, 2023	December	28, 2023
January	4, 2024	January	25, 2024



**City of Big Rapids**

**Community Development Department  
Zoning Board of Appeals Application**

**Application Date:** 7/28/2023

**Applicant Information:**

**Name:** Signworks of Michigan, Inc.

**Address:** 4612 44th Street SE, Grand Rapids, MI 49512

**Phone Number:** 616-954-2554

**Property Owner Information: (Complete only if different from above)**

**Name:** Spectrum Health Big Rapids

**Address:** 605 Oak Street, Big Rapids

**Phone Number:** N/A

**Zoning Variance Information:**

**Variance Requested:**

One monument sign

**Variance Address:** 722 Locust Street, Grand Rapids

**Parcel Number:** 17-14-251-007

**Please submit all of the following information as attachments:**

1. A legal description of the property in question.
2. A detailed explanation of why a variance is necessary on this property
3. A detailed sketch plan of the property indicating present conditions and areas where the proposed variance(s) will be utilized. As part of this plan list lot dimensions, property lines, building/structures sizes, and all natural features.
4. The proposed use of any new buildings/structures.
5. Eight (8) copies of all application materials.
6. Application fee of \$200.00

All information required for submission of an application as indicated above has been provided. I certify that I have read and do understand the procedures for the City of Big Rapids Zoning Board of Appeals requests.

*Andrew Castillo*

\_\_\_\_\_  
Signature of applicant or property owner

Email: [acastillo@signworksofmi.com](mailto:acastillo@signworksofmi.com)

July 28, 2023

City of Big Rapids,  
Department of Community Development  
226 North Michigan Avenue  
Big Rapids, MI, 49307

RE: Review Standards Zoning Ordinance for Corewell Health, 722 Locust Street, Big Rapids, MI, 49307

1. Legal Description of Property

Overview - MECOSTA COUNTY MEDICAL CENTER is an entity in Big Rapids, Michigan registered with the System for Award Management (SAM) of U.S. General Services Administration (GSA). The entity was registered on September 11, 2009, with Unique Entity ID (UEI) #XTV8GJPDCTL5, activated on January 26, 2022, expiring on February 23, 2023, and the business was started on January 1, 1926. The registered business location is at 605 Oak St, Big Rapids, MI 49307-2048. The entity structure is 2A - U.S. Government Entity. The business types are 12 - U.S. Local Government, 80 - Hospital, C7 - County. The officers of the entity include Heather Zak.

2. Explanation for a variance

Dear Members of the Zoning Board of Appeals,

I am writing to formally request authorization for the installation of one updated monument sign at Spectrum Health Big Rapids Hospital. The purpose of new signage is to showcase the upcoming rebranding of Spectrum Health to Corewell Health, which will be the new face of Beaumont Health (8 hospitals), Spectrum Health Lakeland (49 hospitals), and Spectrum Health (11 hospitals). The signage will undergo a comprehensive update, featuring the incorporation of the "Spectrum Health" branding. In order to adhere to the stipulations set in each past variance concerning this sign, Jones Sign and Signworks will ensure to retain the present measurements for the updated sign. This approach guarantees an easy transition while upholding the continuity and compliance with relevant regulations.

Thank you for your time and consideration of this matter. We look forward to hearing back from you soon.

Andrew Castillo

Signworks of Michigan, Inc.



SITE:

# CH008 Signage Recommendation

E-01

### Context

Location: Parking Lot Entrance  
(North Elevation)  
Responsibility: Sign Vendor  
Permitting: n/a

### Recommendation Notes

\*Technical survey to be conducted.  
Recommend the removal of existing monument sign & foundation.  
Replace with new monument sign & foundation.

### Existing

Type: D/F Monument  
Quantity: 1  
Illumination: Internal LEDs  
Attachment: Ground footing  
Overall Height: n/a  
Overall Width: n/a  
Height: 72"  
Width: 72"  
Sign Depth: n/a  
Mounting Height: n/a  
Existing Notes: n/a

### Recommended Action

Action: Replace

Approach: Demo existing monument sign, remove and scrap. Hydrovac hole, add new foundation. Install new monument sign.

Make Good: Level out and return soil to existing grade after installation of sign.

### New

Type: Monument  
Quantity: 1  
Illumination: Illuminated  
Attachment: New Ground Footing  
Sign Code: COH-MN-B-100-72-I  
Asset Height: 72" [6'- 0"]  
Asset Width: 100" [8'- 4"]  
Mounting Height: In place of existing

\*Full clear space rule followed



Existing - Image 1 (Southeast Side)



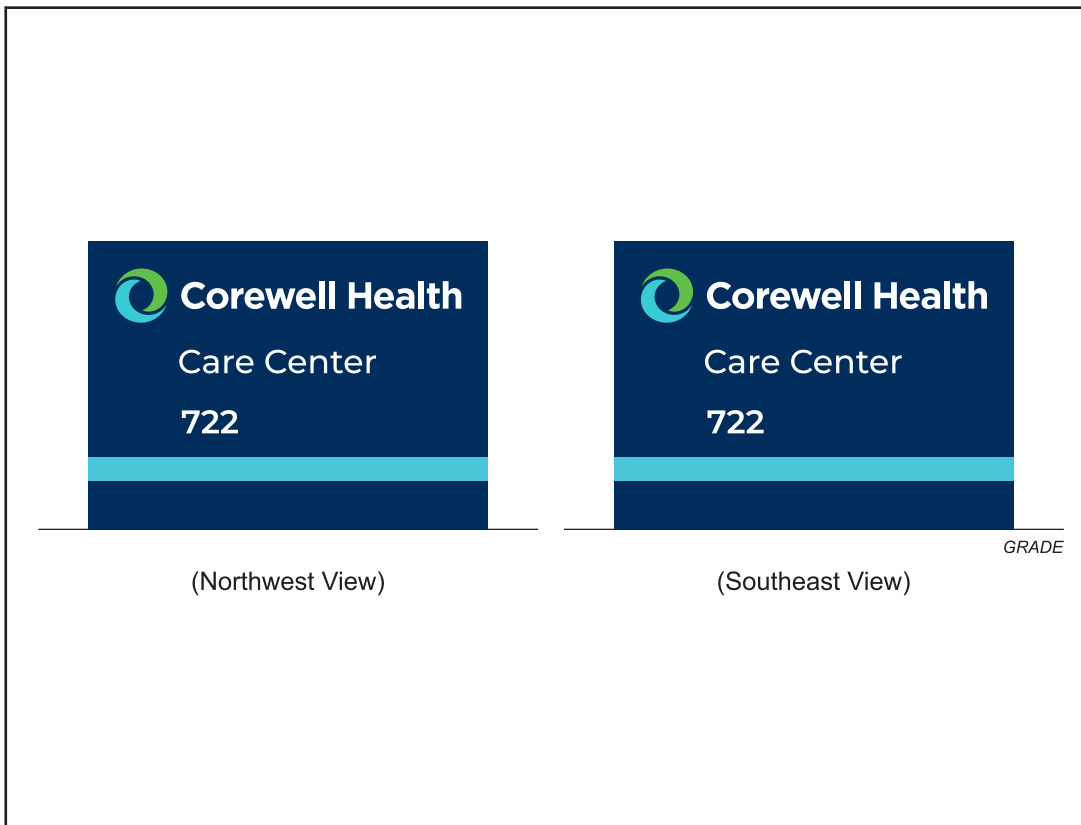
Existing - Image 2 (Angled View)



Existing - Image 3 (Northwest Side)



Concept Rendering



Sign Artwork

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STAFF REPORT TO THE ZONING BOARD OF APPEALS

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TO: Zoning Board of Appeals  
FROM: Michelle Stenger, Community Development Director  
Joey Walker, Planning and Zoning Technician  
SUBJECT: 722 Locust Street Non-Use Variance  
DATE: August 24, 2023

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**Introduction**

On July 28, 2023, the Community Development Department received a Zoning Board of Appeals Application from Andrew Castillo, representative of Signworks of Michigan, Inc. on behalf of Corewell Health, requesting a non-use variance for the property located at 722 Locust Street (17-14-251-007)

**The Property**

The parcel 17-14-251-007, commonly known as 722 Locust, is one of the several properties that make up the Spectrum Health Big Rapids Hospital. All of the properties as well as the surrounding area are zoned R-1 residential. The proposed variance would allow variances to several requirements for signage in the R-1 district.

There are no active Code Enforcement investigations of the property.

**The Case**

The R-1 district is intended for single family residential use but allows hospitals as a special use. The R-1 also has strict signage tolerance as it is not intended for commercial use.

With the coming rebranding from Spectrum Health to Corewell Health, it is the Community Development Department's understanding that the applicants have a legal obligation to begin making changes to the signage. Some of these changes will include temporary banners and vinyl covering for current signage, until new signage can be installed. Both the temporary banners and the new permanent signs will require variances for the total number of signs, and the dimensions of some signs.

722 Locust Sign Requiring Variance (See Site Plan CH008):

E-01: Proposed size of 50 Sqft, ordinance allows 24 Sqft.

**Variances**

Section 13.5 of the Zoning Ordinance address Variances in the City of Big Rapids:

Upon application of an appeal, the ZBA may grant a variance from the terms of this Ordinance which will not be contrary to the public interest, and where because of special conditions a literal enforcement of the provisions of this Ordinance will result in unnecessary hardship or practical difficulty to the property owner, and so that the spirit of

this Ordinance shall be observed, and substantial justice done. The possibility of increased financial return shall not of itself be deemed sufficient to warrant a variance. In granting a variance, the ZBA may attach thereto such conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in the interest of furtherance of the purpose of this Ordinance, provided the conditions are necessary to:

- (1) Ensure that public services and facilities affected by a proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
- (2) Protect the natural environment and conserve natural resources and energy.
- (3) Ensure compatibility with adjacent uses of land.
- (4) Promote the use of land in a socially and economically viable manner.

### **Non-Use Variance Standards**

Section 13.6 of the Zoning Ordinance addresses Use Variance Standards thusly:

While considering non-use variance requests, the applicant must present evidence to the ZBA to show that if the Zoning Ordinance is applied strictly, practical difficulty will result in the applicant and that:

- (1) The ordinance restrictions unreasonably prevent the property owner from using the property for a permitted purpose; and/or
- (2) The variance would do substantial justice to the applicant, and possibly other property owners in the district, and a lesser relaxation of the regulations than that requested would not provide substantial relief to the property owner; and/or
- (3) The plight of the property owner is due to the unique circumstances of the property, and not a general condition of the neighborhood; and/or
- (4) The alleged practical difficulty has not been created by any person presently having an interest in the property; and

In granting the variance, the ZBA shall ensure that the spirit of the Ordinance is observed, public safety secured, and substantial justice done.

### **Staff Recommendation and Analysis of Standards**

After due consideration of the property and the standards for approval of a non-use variance, staff is recommending the approval of the proposed signage package.

Section 13.6 Analysis:

- (1) The ordinance restrictions unreasonably prevent the property owner from using the property for a permitted purpose; and/or

Supportive: Hospitals are a permitted special use in the R-1 district, but the signage ordinance does not consider the needs of a large hospital.	Against: N/A
---	--------------

- (2) The variance would do substantial justice to the applicant, and possibly other property owners in the district, and a lesser relaxation of the regulations than that requested would not provide substantial relief to the property owner; and/or

Supportive: The hospital is a public good as much as it is a commercial operation. Most of the changes to the signage are cosmetic and will not present a significant change for neighboring properties.	Against: N/A
--	--------------

- (3) The plight of the property owner is due to the unique circumstances of the property, and not a general condition of the neighborhood; and/or

Supportive: A hospital is a permitted special use in the R-1 district, so while it is permitted the ordinance does not necessarily consider this type of use's needs.	Against: N/A
---	--------------

- (4) The alleged practical difficulty has not been created by any person presently having an interest in the property; and

Supportive: The hospital is permitted via special use in the R-1 district, and its hardships are created by the regulations of said district.	Against: N/A
---	--------------

**Action**

Three options lay before the Zoning Board of Appeals regarding variance requests: Approval, Approval with Conditions, and Denial. Explanations and sample motions are included below. When determining the proper motion, it is important to indicate how each item listed in Section 13.6 of the zoning ordinance has or has not been met.

**Approval**

An approval motion is appropriate when the Application meets the Standards of the Zoning Ordinance and grants the Variance as stated to the Applicant/property.

“I move that the use variance application for 722 Locust Street (17-14-251-007) to allow the proposed signage package and variances to Section 6.4:1 of the zoning ordinance be approved because it meets the standards set in Section 13.6 of the Zoning Ordinance.”

### Approval with Conditions

An approval with conditions motion is appropriate when the Application meets the Standards set in Section 13.6 of the Zoning Ordinance, but the Zoning Board of Appeals members believe a few conditions or alterations are required to adhere to the standards of Section 13.5. This motion approves the Application contingent upon the listed conditions.

“I move that the non-use variance application for 722 Locust Street (17-14-251-007) be approved to allow the proposed signage package and variances to Section 6.4:1 of the zoning ordinance. The Application meets the standards set in Sections 13.5 and 13.6 of the Zoning Ordinance, but conditions are required to *(select from the relevant reasons below)*

- (1) Ensure that public services and facilities affected by the proposed land use or activity will be capable of accommodating increased service and facility loads caused by the land use or activity.
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The following conditions are required to address this need: *(list conditions here.)*

[Note: *The ZBA may attach conditions regarding the location, character, and other features of the proposed building, structure, or use as it may deem advisable in the interest of furtherance of the purpose of the Zoning Ordinance to meet the conditions above.*]

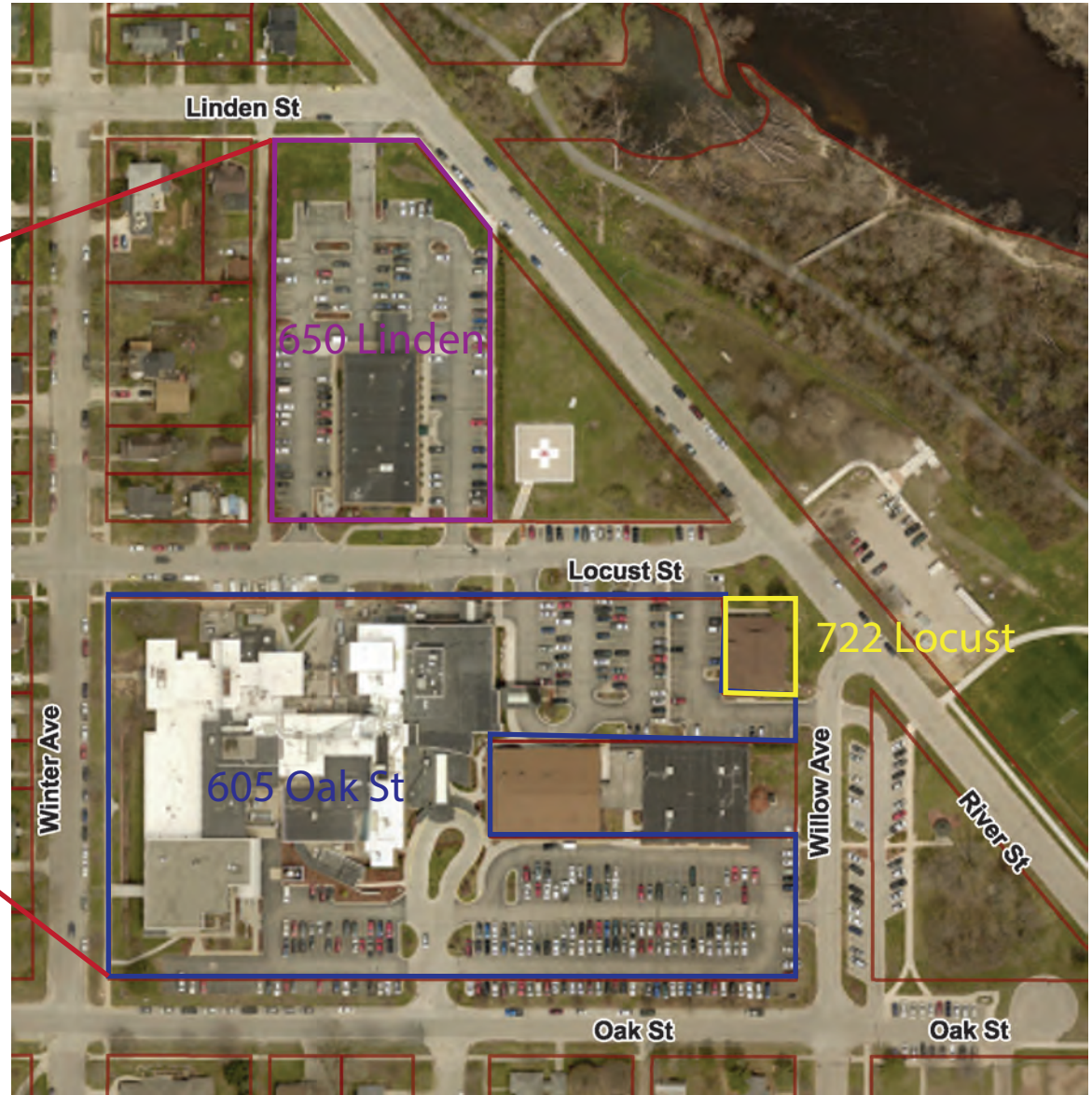
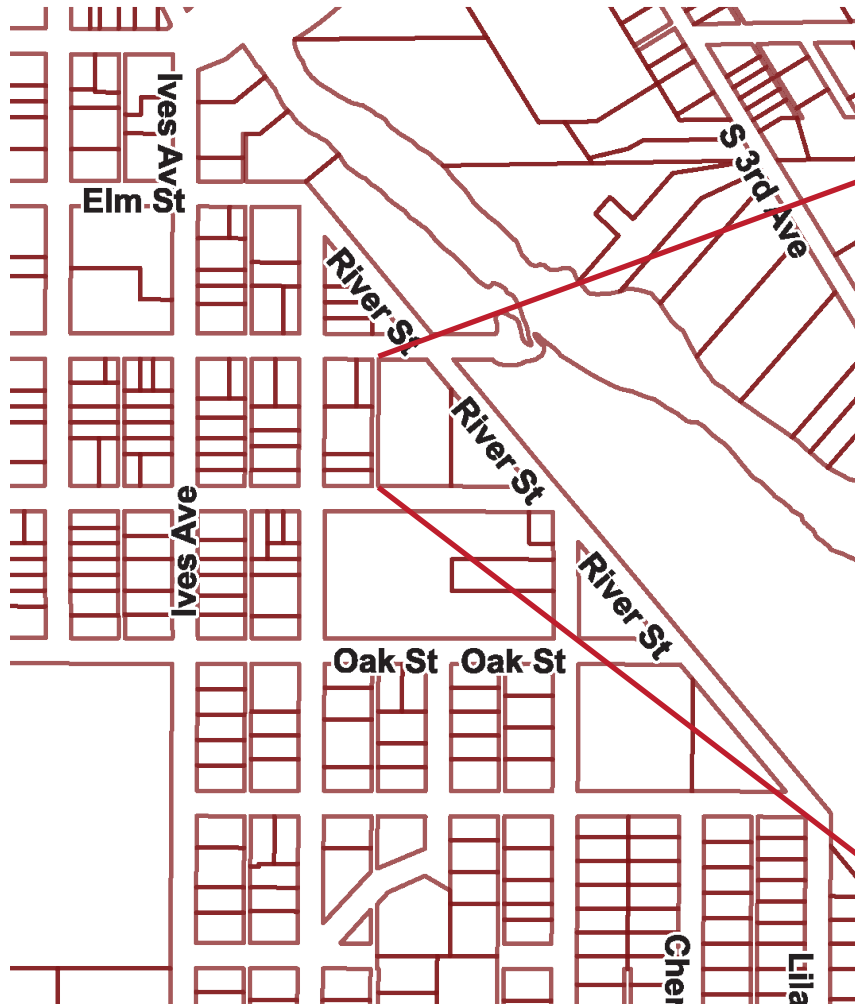
### Denial

A denial motion is appropriate when the Application fails to meet the Standards of the Zoning Ordinance. This motion ends the application process.

“I move that the use variance application for 722 Locust Street (17-14-251-007) to allow the proposed signage package and variances to Section 6.4:1 of the zoning ordinance to be denied because it does not meet Standard 13.6:(X) of the Zoning Ordinance. *(Fill in the X with the Number and Standard which the application fails to meet.)*”



# Hospital Property Locations





# ZONING BOARD OF APPEALS

City of Big Rapids

# HISTORY OF PLANNING

1700S

Very Little Planning

LATE 1800S

The health issues in large cities such as New York City caused disease and unsanitary conditions led to some cities developing standards for public health and safety standards

EARLY 1900S

The City Beautiful Movement led to the creation of many City Planning Agencies in the interest of aesthetics.

1920S

the practical and efficiency of city development. The City Practical Movement focused on community infrastructure. Also, during this time frame zoning and planning were recognized as a way guide development of private lands within the community and what zoning was.

1930S

the introduction of the automobile and completely changed development and transportation in the United States. By the 1980's sprawl had taken over and communities were declining.

Since that time, a refocus on the City core has happened, with more efficient land pattern development and inclusionary of all forms of transportation.

# MASTER PLANS

## Basis of the Master Plan

- Identifies & evaluates existing conditions and trends
- Establishes goals with public input
- Considers alternatives and provides recommendations for the physical development or redevelopment of the community
- Helps to identify where and intensity of land uses
- Determines how much of different types of development are needed/wanted within a community
- Suggests changes needed to regulations, procedures, or community facilities and services to improve the community
- Used as a guide for development

## Master Plan Implementation

- Plan Timeframe
  - Usually 10-to-20-year outlook
  - Can have short term/long term goals
  - Plan must be reviewed every 5 years with Plan Commission for any updates
- Legal Basis for Zoning
  - Required by State Law
  - Up to date plan makes it more legally defensible
- Guides Land Use Decisions
  - Provides a road map for offices
  - Provides direction to those who are looking to invest on what the community wants/needs.



# ZONING ORDINANCES

## What is Zoning

- Public regulation of the use of land
  - Divides community into districts
    - Different districts allow different uses, buildings, design
- Regulation current
  - Doesn't look to future but in the moment
- Law
  - Adopted by regulated body
  - Required to be based on a plan

## How is it linked to Planning

Typically, once a Master Plan is adopted the Zoning Ordinance is rewritten to facilitate the changes need to implementing the Master Plan

## Types of Changes

- New/Different districts to facilitate types of development sought
- Landscaping requirements
- Parking requirements
- Review procedures (sometimes)
- Uses within district
- Visual impacts



# WHAT IS A ZONING BOARD OF APPEALS

## What the Board is

A quasi-judicial body authorized to hear and decide matters as required by the city's zoning ordinance

## Responsibility

- Official interpretations of the zoning ordinance text and zoning map
- Appeals regarding administrative orders, requirements, decisions or determinations, including those made by the Planning Commission
  - This does not include items that start with the Planning Commission and have a final decision by the City Commission
- Variance from ordinance standards
  - our ordinance allows both use variances and non-use variances
- Big Rapids also has language in the ordinance about establishing/confirming nonconforming uses of land

# LOCAL IMPACT OF DECISIONS

Zoning provides consistency, rules, and uniform development, the ZBA provides relief to those rules and consistency and can have impacts

The Zoning Board of Appeals is one of the only entities in local government that allows the “legal breaking of the law”

Applicant is seeking relief from rules

Board needs to ensure in granting relief that other parties are not harmed

The rules provide security and safeguards to neighboring property owners – changing the rules changes the consistency of adhering to the plan.



# POLITICS OF PLANNING

## DEMOCRATIC PROCESS

- Citizens have the right to participate and influence by following a process about decisions which affect them
  - Does not guarantee they achieve what they want
- Decisions don't make everyone happy
- Ability to compromise is limited
- Ordinance provides an outline of how to review different request and standards for approving them





# MEETING PREP

## Site Visits

Individual site visits are helpful to have a better understanding, feeling of the neighborhood.  
Allows observation of impacts, traffic, and noise.

Should be done independently to ensure there is no improper communication


## Ask Questions

If you have questions that you feel the applicant may need more time to prepare an answer for don't hesitate to ask Staff so they can alert the applicant, so they are prepared. This allows for more information exchanged and hopefully a better project/meeting.

Staff is also available for any questions that arise, procedural or better understanding.

## Review Ordinance

Prior to the meeting read over the section of the ordinance pertaining the request. It is also important to review the ZBA section of the ordinance that provides guidance to the ZBA on the criteria for approving a variance request.





## EX PARTE CONTACT

Conversations outside of the meeting (except to staff) about a hearing on the agenda are not ethical and should be avoided at all costs.

Options you have if approached:

- Direct person to talk with staff
- Encourage them to write a letter to the Planning Commission
- Encourage them to come voice their concerns at the meeting

\*If the discussion is unavoidable you need to disclose the discussion at the meeting stating what has been discussed.



# CONFLICT OF INTEREST

## Applicant

If you are applying for the request – recommended to have someone else represent you at the meeting

## Close Relative

A close relative that you see regularly. A distant family member that you see rarely would not necessarily be a conflict.

## Financial Interest

If you or a close family member is going to have a financial interest in the decision made

## What To Do?

Declare you have a conflict of interest and how. Then leave the room. Someone will retrieve you when discussion and decision is completed.

Do not discuss prior to the meeting information you may know with other Plan Commission Members



## FINDINGS OF FACT

Findings of Fact are laid out in the Staff Report

Each finding needs to be discussed independently by the board.

Staff also provides insight on each finding, this is provided to give you a basis to start your thoughts, not necessarily to provide you with the “right” answer.

Each Commissioner should discuss clearly on their thoughts on the proposal based on the findings.

When making a motion include the reasons: it meets findings, it doesn't meet findings. It needs to be specific.



# TYPES OF REVIEW

## ADMINISTRATIVE APPEAL

An administrative appeal would be from a decision made by the Planning Commission, or Staff. Applicants can also ask for interpretations of sections of the ordinance and the zoning map.

## USE VARIANCES

A use variance is a request to allow a use within a specific zoning district. It is typically bad practice to allow use variance instead of requiring a rezoning to the correct zoning district, but there are certain situations where it may be justified

## NON-USE VARIANCES

A non-use variance would be a request to allow a change from a regulation in the ordinance. Popular non-use variances are sign size and numbers, setbacks, square footage, landscaping, parking, and height.

## NON-CONFORMING STRUCTURES

Our ordinance has a unique non-conforming uses section that allows the ZBA to determine special designations.

# NON-CONFORMING USES – CLASS A & B

## Class A

- Class A nonconforming uses have been designated by the ZBA
- Initiated by the property owner
- Has specific standards required for approval (Section 7.1:5)
  - The continuance of use would not be contrary to the health, safety, welfare or spirit of the ordinance
  - The use or structure does not and is not likely to significantly decrease the value of nearby properties
  - The use was lawful at the time of its inception and that no useful purpose would be served by strict application of the provisions or requirements of this ordinance which the use or structure does not conform.
- Benefit to applicant
  - Can be re-established later if abandoned
  - Allows repair, improvement and modernization of structure
  - Allows for substitution to another use with ZBA consent
  - Allows enlargement and extension with ZBA consent

## Class B

- Have not gone through the process to be considered Class A
- Automatic, no decision required by the ZBA
- Benefit to the City
  - Improvements and repairs limited to 25% of the value of the structure
  - If damaged by more than 50% it loses the nonconforming status
  - Cannot be reestablished
  - Structural Changes can't be done without variance
  - Cannot be changed to another nonconforming use.