



AGENDA – ZONING BOARD OF APPEALS

March 23, 2023
5:30 PM

- I. Call to Order**
 - II. Pledge of Allegiance**
 - III. Roll Call**
 - IV. Adoption of March 23, 2023 Agenda**
 - V. Review of February 23, 2023 Meeting Minutes**
 - VI. Public Comment and Correspondence**
 - VII. Public Hearings**
 - 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).
 - VIII. Old Business**
 - IX. New Business**
 - A. Administrative Decision Appeal.
 - X. Board Member Comments**
 - XI. Next Meeting Reminder**
 - A. Regular Meeting April 27, 2023 at 5:30 PM
 - XII. Adjournment**
-

MINUTES – ZONING BOARD OF APPEALS MEETING

5:30 PM February 23, 2023

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

MEMBERS ABSENT: Karl Grieve

STAFF PRESENT: Chris Atkin

I. Call to Order

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

II. Pledge of Allegiance

III. Roll Call

IV. Adoption of Agenda

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

Motion passed unanimously by voice vote.

V. Minutes of the December 1, 2022 Regular Meeting

Board Member Mauldin moved to adopt the December 1, 2022 Zoning Board of Appeals meeting minutes as presented. Motion supported by Board Member Mulhearn.

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. 410 Park Pl. – Dimensional Variance

Planner Atkin summarized the applicant's dimensional supplemental variance requests.

Board Member Christie 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 a voice vote.

Chairperson Christie opened the public hearing at 5:36 pm.

APPLICANT/PUBLIC COMMENTS

Paul Miller, applicant, explained the reason(s) for demolishing a portion of the existing building is due to the age and need for additional space for upgrades and equipment.

Mike Bullinger, Engineer for R.W. Mercer, provided additional information and environmental mitigation. Stated they are in the process of having the four (4) lots combined.

Chairperson Christie closed the public hearing at 5:39 pm.

MEMBERS COMMENTS

Board Member Christie commented about the additional site upgrades.

Board Member Mulhearn asked for confirmation regarding the Park Pl. setback being increased.

Board Member Mauldin stated he agreed with staff recommendations.

Board Member Mauldin motioned, to approve the dimensional variance requests from zoning ordinance Section 28-75 dimensional variances at 410 Park Pl. (Parcel # 6-01350) to permit the proposed structure to be sited not less than 6.20 feet from the Park Place (front) property line, 4.48 feet from the northeast (side) property line, and 27.64 feet from the northwest (rear) property line. The dimensional variances shall apply only to the new parcel number assigned by the Assessing Department. Motion supported by Board Member VanSumeren.

Motion passed unanimously by roll call vote.

VIII. Old Business

None.

IX. New Business

A. Election of Officers

Board Member Mauldin motioned to elect Board Member Christie as the ZBA Chairperson. Support from Board Member VanSumeren.

Motion passed unanimously by voice vote.

Board Member Mauldin motioned to elect Board Member Grieve as the ZBA Vice-Chairperson. Support from Board Member VanSumeren.

Motion passed unanimously by voice vote.

X. Board Comments

None.

XI. Next Meeting Reminder

Chairperson Christie reminded the Board the next scheduled meeting on March 23, 2023 at 5:30 pm.

XII. Adjournment

Board Member Christie moved to adjourn the meeting at 5:49 pm. Motion supported by Board Member VanSumeren.

The motion passed unanimously by a voice vote.

Respectfully,



Christopher M. Atkin
Planning Director, City of Jackson



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: Pivotal Housing Partners
Address: 9100 Centre Pointe Drive; Ste 210
City: West Chester State: OH Zip: 45069
Phone: () 513.544.5562
Email: martin.crume@pivotal-hp.com

PROPERTY OWNER Same as applicant

Name: City of Jackson
Address: 161 W. Michigan Ave.
City: Jackson State: MI Zip: 49201
Phone: ()
Email:

ADDRESS SUBJECT TO VARIANCE REQUEST

Property Identification #: 38-1-0102.1000
Address: 209 N. Blackstone St.
City: Jackson State: MI Zip: 49201
Nearest Intersection: Blackstone & Louis Glick Hwy

Current Zoning Designation: C-3
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):
To install a projecting / blade sign on a four story residential building. Please see attached drawing.

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.

M. Crume
Signature of Applicant

2.24.23
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>P20BA23-0603</u>	Application Accepted By: <u>SFoster</u>
Materials Submitted with Application: <input checked="" type="checkbox"/> Plans <input type="checkbox"/> Letter <input type="checkbox"/> Other	
Total Pages Submitted: <u>6</u>	Amount of Fee Paid: <u>\$500</u> <input type="checkbox"/> Cash <input type="checkbox"/> Check Check #:

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. No, these conditions apply to other properties in the C-3 district.
2. The exceptional or extraordinary conditions do not result from the actions of any person with a current interest in the property. No, this variance is intended to enhance the designed/proposed development for this 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. No, this variance would only enhance the visibility of the name of the development.
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. No, this variance would only enhance the visibility of the name of the development, and make it easier for visitors to locate their destination to the building.
5. The variance is the minimum variance possible for reasonable use of the property. Yes, the variance is a reasonable request for this property.
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. No, this variance will not affect any of the above.
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. Yes, understood.

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

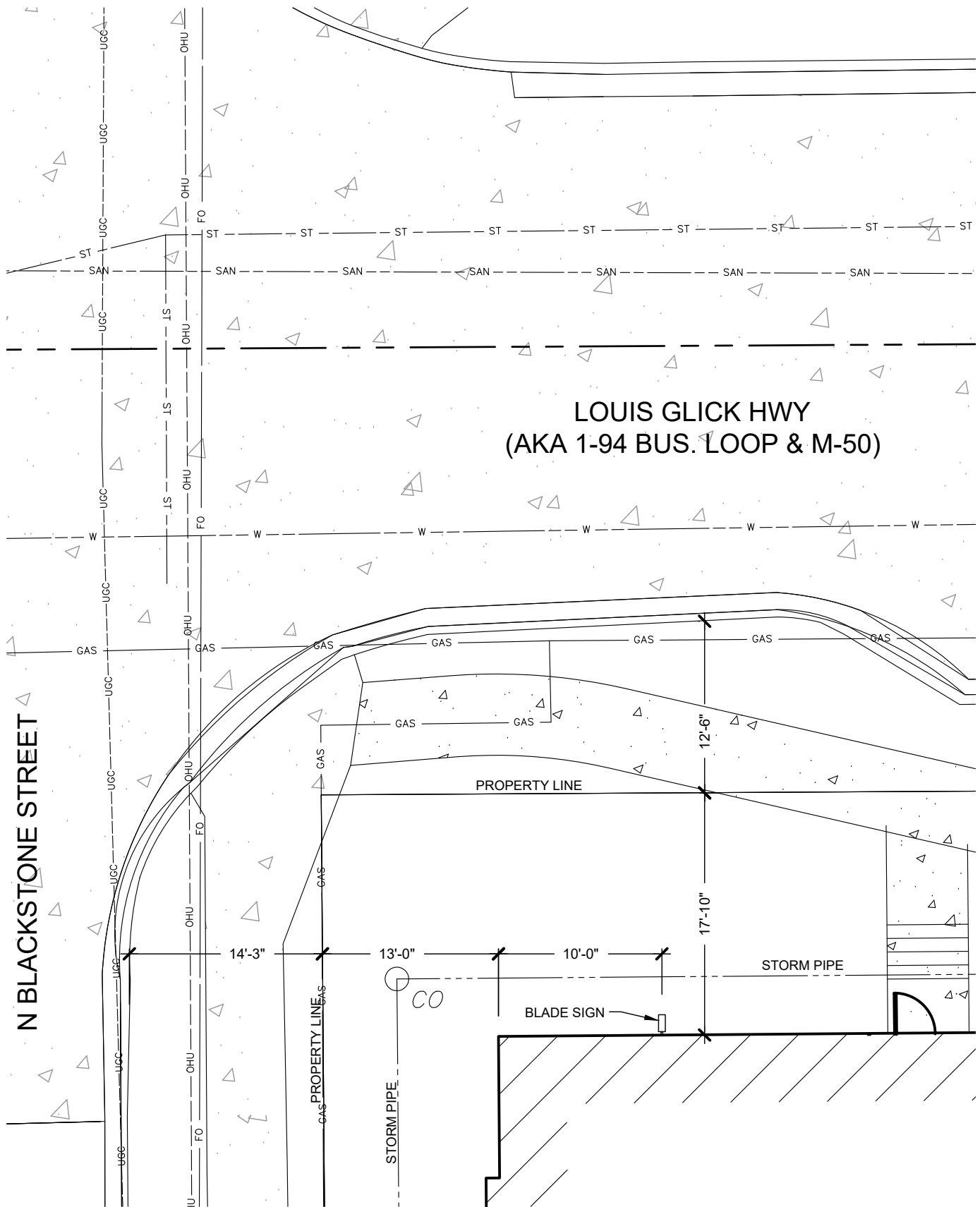
The zoning board of appeals may grant a use variance only upon finding that an unnecessary hardship exists. A use variance is a variance that permits a use that is otherwise not provided for in a zoning district. A finding of an unnecessary hardship shall require demonstration by the applicant of the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

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. N/A.

3. The problem and resulting need for the variance has not been self-created by the applicant. N/A.

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. N/A.

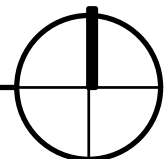


LOUIS GLICK HWY
(AKA 1-94 BUS. LOOP & M-50)

N BLACKSTONE STREET

utilities & sign location

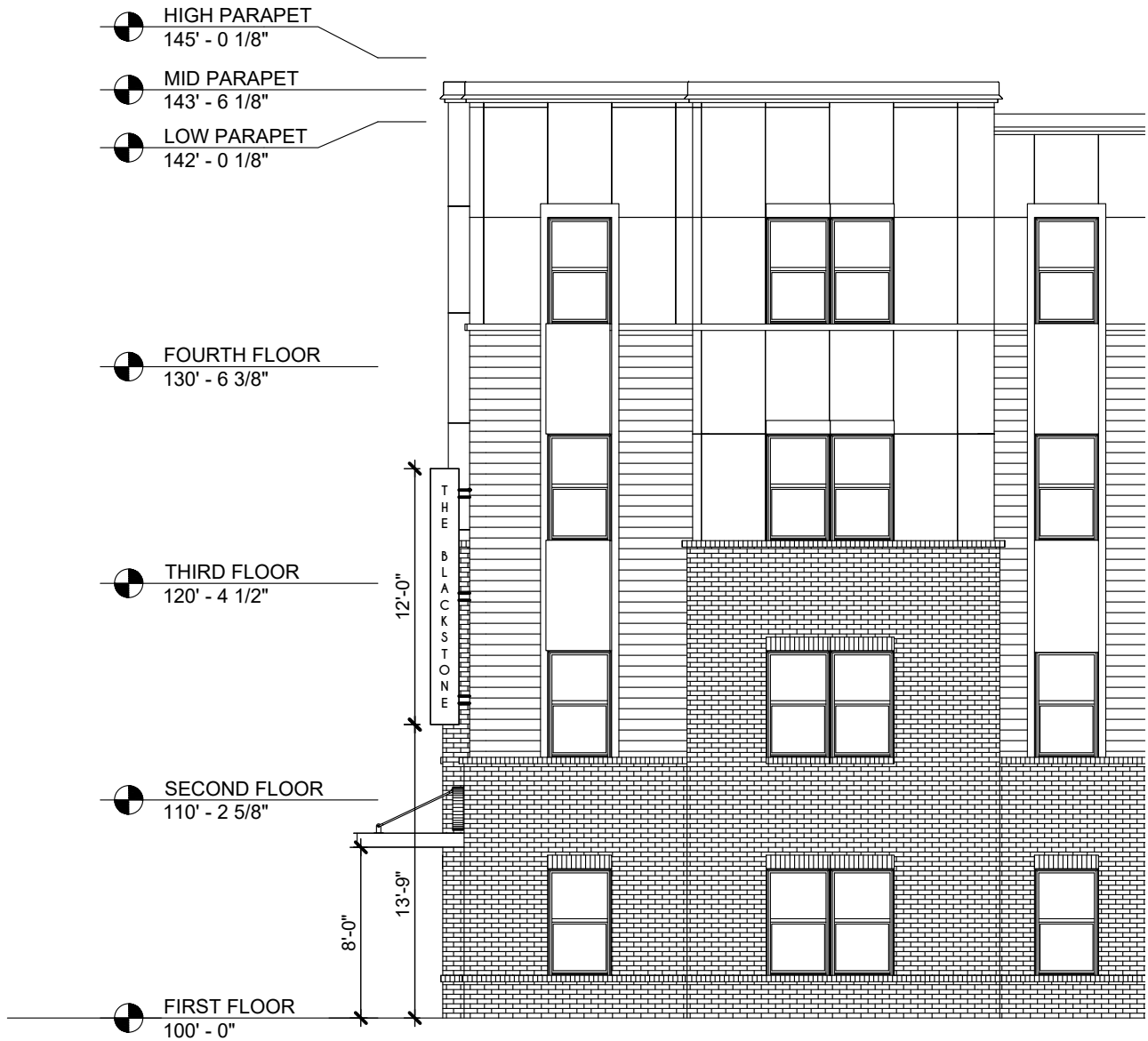
1" = 10'



THE BLACKSTONE

209 N. BLACKSTONE STREET, JACKSON, MI 49201

THIS IS A PARTIAL UTILITIES PLAN FROM SHEET C-102 IN THE BID/PERMIT DRAWINGS. DIMENSIONS HAVE BEEN ADDED FOR VARIANCE CLARIFICATION PURPOSES.



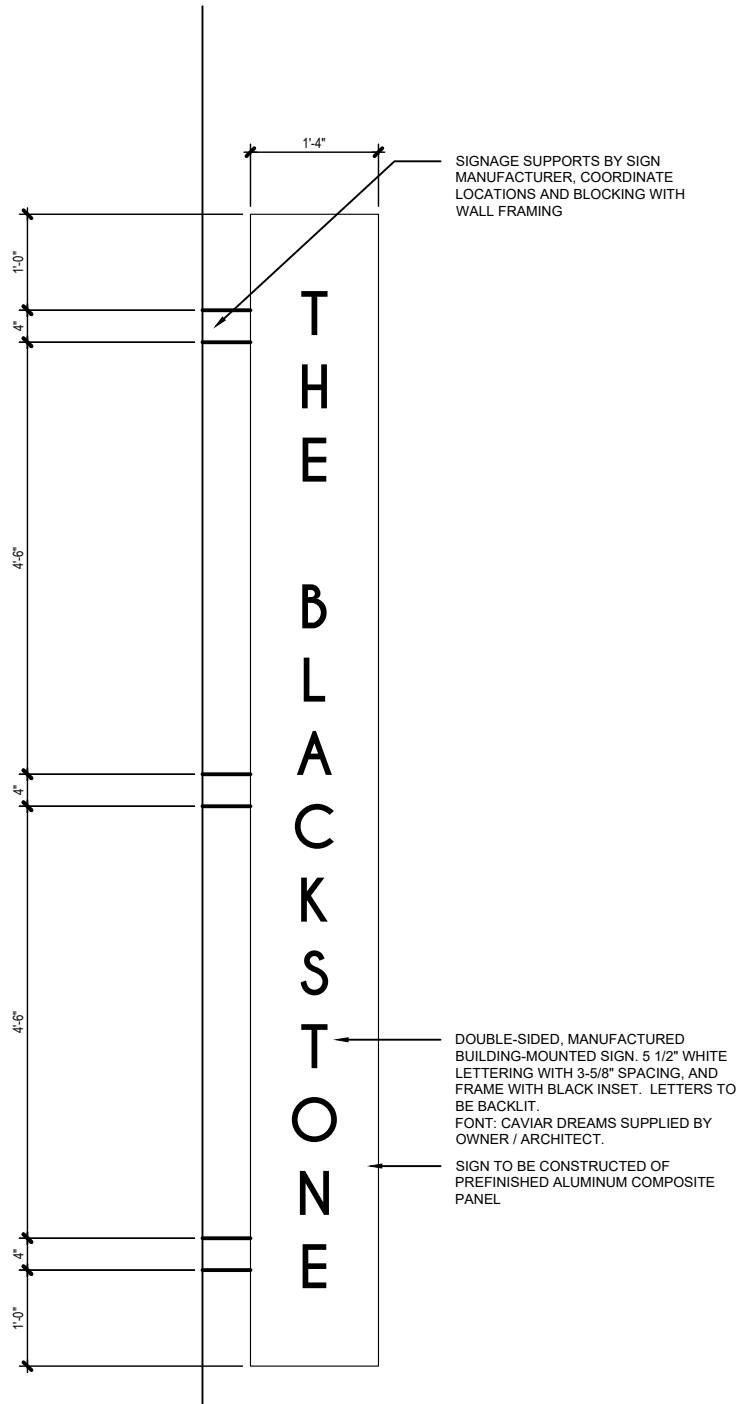
blade sign mounting height

1/8"=1'-0"

THE BLACKSTONE

209 N. BLACKSTONE STREET, JACKSON, MI 49201

THIS IS A PARTIAL ELEVATION FROM SHEET A3.10 IN THE BID/PERMIT DRAWINGS. BLADE SIGN MOUNTING HEIGHT IS SHOWN CENTERED BETWEEN SECOND AND THIRD FLOOR WINDOWS.



blade sign detail

1/2"=1'-0"



THE BLACKSTONE

209 N. BLACKSTONE STREET, JACKSON, MI 49201

THIS DETAIL HAS BEEN REVISED FROM THE ORIGINAL BID/PERMIT DRAWINGS TO COMPLY WITH THE MAXIMUM ALLOWED 16 SQUARE FEET PER SIGN. THIS REVISION WILL BE ISSUED THROUGH AN UPCOMING ADDENDUM.

Dimensional Variance The Blackstone City of Jackson, Michigan

GENERAL INFORMATION

- Applicant:** Pivotal Housing Partners
9100 Centre Pointe Drive, Suite 210
West Chester, OH 45069
- Subject Location:** 209 N. Blackstone St. (Parcel # 1-0102.1)
Part of 221 W. Louis Glick Hwy. (Parcel # 1-0090.1)
- Received Date:** February 24, 2023
- Current Zoning:** C-3, Central Business District
- 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 vacant subject site is located east of N. Blackstone Street between W. Louis Glick Highway and W. Pearl Street. As illustrated below, the site currently consists of two (2) separate lots, the applicant will be dividing a portion of Parcel # 1-0090.1 and combining it with Parcel # 1-0102.1 to create one (1) lot.

The applicant would like to install a sixteen (16) square-foot projecting sign on the north façade of the pending multi-unit, multi-level residential development. The proposed projecting sign is similar to the existing projecting sign on the Francis Lofts multi-story residential development.



NEIGHBORING ZONING AND LAND USE

The subject property is currently zoned C-3, Central Commercial, the table below identifies the surrounding zoning designations and current land uses.

	North	South	East	West
Zoning	C-3, Central Commercial	C-3, Central Commercial	C-3, Central Commercial	C-3, Central Commercial
Land Use	Office	Parking/Public Facility	Mixed Use Residential	Restaurant



VARIANCE REQUEST

Dimensional Variance Request

The applicant seeks a dimensional variance 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).

Per Section 28-253(h) Projecting signs must be affixed to the front façade of the business and allow a nine (9) foot clearance from the bottom of the sign to the sidewalk. The top of the sign shall not be installed at a height taller than the bottom of the second floor or between the parapet and the windows of a single story structure.

Approval of the dimensional variance will permit the height of a projecting sign at a height not greater than sixteen (16) feet above the bottom of the second floor.

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.**

As described in zoning ordinance Section 28-44. – C-3 Central Commercial District:

The central commercial district represents the focal point of the city's commercial, office and civic activity. It is designed to provide retailing, personal services, parking and business services for the entire urban area. The district also supports mixed use developments that include residences as well as commercial and office space. Residential use is encouraged on the upper level floors of

structures. The district, located at the area of convergence of arterial streets and highways, is surrounded on all sides by districts which are given over to general business, light industrial, office and high density residential uses or some combination. Recognized as the "central business district" of the metropolitan area, the regulations are designed to:

- (1) Encourage a strong, compact central core.
- (2) Realize and enhance the existing character of certain areas.
- (3) Encourage primary parking areas in proximity to the uses they serve and to discourage auto and pedestrian interaction.
- (4) Provide and maintain green spaces that can act as activity areas for employees and shoppers.

We believe the intent of the ordinance is to reduce the visual and vertical impact in the core downtown area on structures with little to no setback. Furthermore, the current maximum height standards are more proportional for ground floor commercial uses in the core downtown.

Other similar size, privately owned multi-level structures in the C-3, Central Community zoning district are generally mixed use with one (1) or more commercial uses on the ground floor and above residential. The proposed residential complex will be contain the same use on all levels opposed to only a portion of the ground floor.

The proposed installation height of the sign is proportional to the height of a building containing one (1) use. Additionally, the façade containing the projecting sign will be setback over seventeen (17) feet from the north property line.

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

The exceptional or extraordinary conditions are consequences of zoning ordinance intent

- (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.**

Strict compliance with this chapter will not prevent the applicant from using the property for a permitted purpose.

- (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.**

Authorizing the dimensional variance will not be of substantial detriment to adjacent property, alter the essential character of the area, or not impair the purposes of this chapter or the public interest.

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

Staff is of the opinion the dimensional variance request is minimal and 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.**

The dimensional variance request 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.

The dimensional variance request 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 at 209 N. Blackstone St. (Parcel # 1-0102.1) and Part of 221 W. Louis Glick Hwy. (Parcel # 1-0090.1) to permit the height of a projecting sign at a height not greater than sixteen (16) feet above the bottom of the second floor. Furthermore, the dimensional variance shall apply only to the new parcel number assigned by the Assessing Department.

1. *The intent of the ordinance is to reduce the visual and vertical impact in the core downtown area on structures with little to no setback. Furthermore, the current maximum height standards are more proportional for ground floor commercial uses in the core downtown.*
2. *The proposed installation height of the sign is proportional to the height of a building containing one (1) use.*
3. *Strict compliance with this chapter will not prevent the applicant from using the property for a permitted purpose.*
4. *Approval of the requested dimensional 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 dimensional variance pursuant to Section 28-244 of the City of Jackson Zoning Ordinance and as detailed below.

Applicant:

Pivotal Housing Partners
9100 Centre Point Dr. Ste. 210
West Chester, OH 45069

Subject property location:

209 N. Blackstone St. & Part of 221 W. Louis Glick Hwy.
Parcel # 1-0102.1 & 1-0090.1

Requested action:

A dimensional variance 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).

Effect of request:

Approval of the dimensional variance will permit the height of a projecting sign at a height not greater than sixteen (16) feet above the bottom of the second floor.

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 March 23, 2023 in
City Hall Council Chambers, 2nd 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 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 March 23, 2023.

Application for Interpretation or Appeal

May require a public hearing before Zoning Board of Appeals.

The \$250.00 fee must be submitted with the application.

Additional Information Required on Page 2

Nature of Appeal: Zoning Text Interpretation Zoning Map Interpretation Administrative Decision

The Zoning Board of Appeals may reverse or affirm (wholly or partly), or may modify the order, requirement, decision, or determination appealed from, and shall make any order, requirement, decision, or determination that in its opinion ought to be made in the case before it. To this end, the Zoning Board of Appeals shall have all the powers of the official from whom the appeal is taken.

APPLICANT

Name: Pivotal Housing Partners
Address: 9100 Centre Pointe Drive; Ste 210
City: West Chester State: OH Zip: 45069
Phone: () 513.544.5562
Email: martin.crume@pivotal-hp.com

PROPERTY OWNER

Same as applicant

Name: City of Jackson
Address: 161 W. Michigan Ave.
City: Jackson State: MI Zip: 49201
Phone: () _____
Email: _____

ADDRESS SUBJECT TO REQUEST

Property Identification #: 4-0451, 4-0462, 4-0463, 4-0464, 4-0455, 4-0457, 4-0458
Address: 702 Greenwood Ave.
City: Jackson State: MI Zip: _____
Nearest Intersection: W. Wilkins & W. Biddle

Current Zoning Designation: R-4
Current Use: Residential Commercial
 Industrial Mixed Vacant
Case Number (if applicable): _____

Is/will an attorney be representing your 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. Furthermore, I understand a concurring vote of a majority of the members of the zoning board of appeals is necessary to reverse an order, requirement, decision, or determination of the administrative official or body, to decide in favor of the applicant on a matter upon which the zoning board of appeals is required to pass under the zoning ordinance, or to grant a variance in the zoning ordinance.

M. Crume 3.15.23
Signature of Applicant Date

Signature of Owner Date
(If different than applicant)

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: _____	Application Accepted By: _____
Materials Submitted with Application: <input type="checkbox"/> Plans <input type="checkbox"/> Letter <input type="checkbox"/> Other _____	
Total Pages Submitted: _____	Amount of Fee Paid: \$ _____ <input type="checkbox"/> Cash <input type="checkbox"/> Check Check #: _____

Application for Interpretation or Appeal

A. FOR ADMINISTRATIVE DECISION APPEALS (Section 28-239).

Where it is alleged that there is an error in any order, requirement, decision, grant or refusal made by the Zoning Inspector or other Administrative Official in the interpretation of this chapter, the zoning board of appeals shall have the power to hear and decide appeals, filed as provided herein.

1. The ruling was based on the following Zoning Ordinance section(s):
In zoning R-4, High Density Apartment and Office, projecting signs are not permitted as indicated in the Zoning Ordinance Section 28-253 Sign Standards.

2. Summarized below, and on other sheets as necessary (attached), is my rationale for arguing that the administrative ruling is an improper or erroneous interpretation of the Ordinance:
Installing a projecting or blade sign would only enhance the visibility of the name of the development and make it easier for visitors to locate their destination to the building.

B. FOR INTERPRETATION OF ZONING TEXT (Section 28-240).

Where there is a question as to the location of any boundary line between zoning districts or in the interpretation of the text, the zoning board of appeals shall interpret the text and map in such a way as to carry out the intent and purpose of this chapter.

1. The ruling was based on the following Zoning Ordinance section(s):
28-253 Sign Standards

2. Summarized below, and on other sheets as necessary (attached), is my rationale for arguing that the administrative ruling is an improper or erroneous interpretation of the Ordinance:
There are similar signs directly across Greenwood Ave from our site: A projecting sign on the ZipPrint building and a large post-mounted sign for the Food Pantry. These signs are similar or larger in size, mounting heights, and projection distance to our proposed sign. See attached zoning map and sign photos.

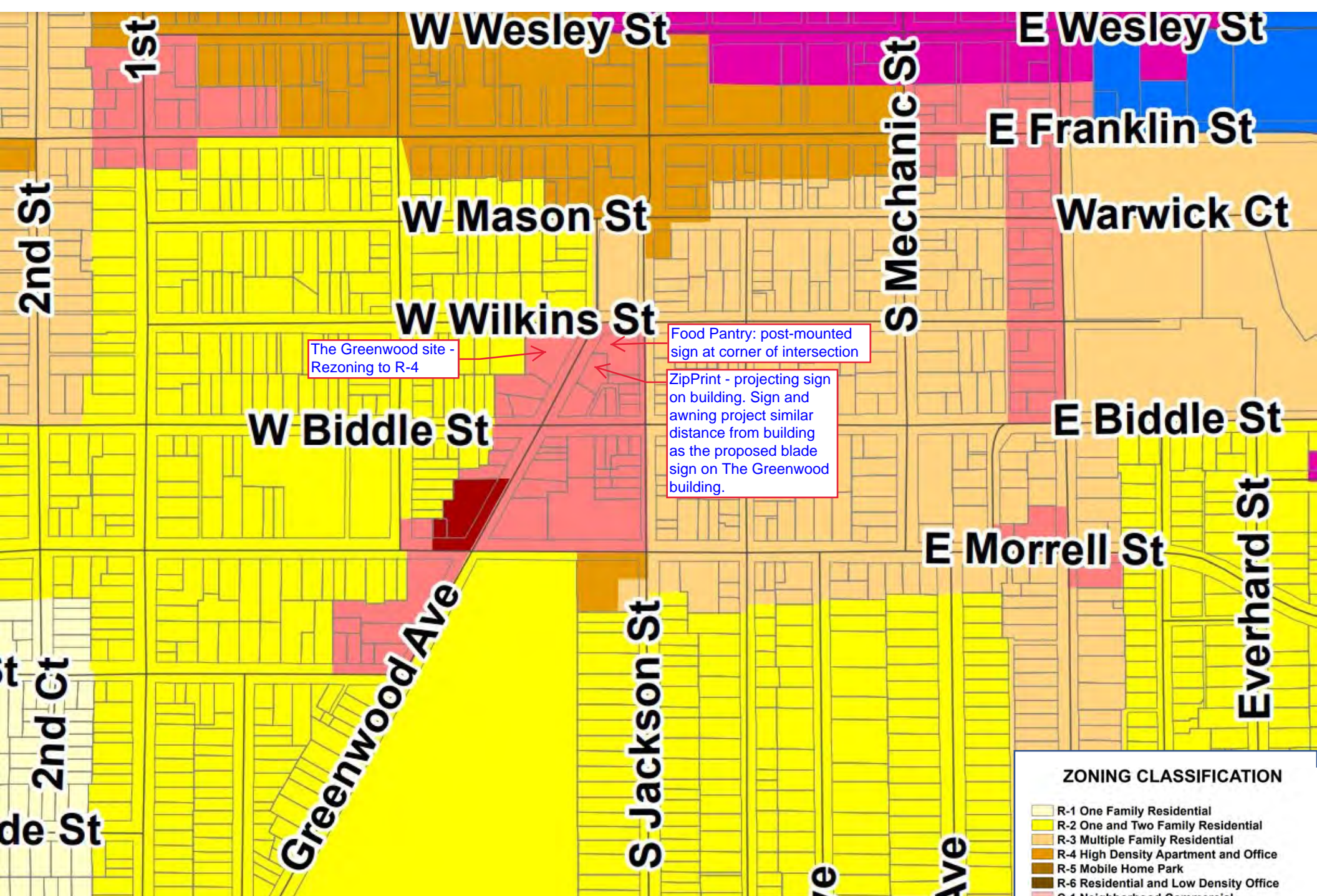
C. FOR INTERPRETATION OF ZONING MAP (Section 28-240).

Where there is a question as to the location of any boundary line between zoning districts or in the interpretation of the text, the zoning board of appeals shall interpret the text and map in such a way as to carry out the intent and purpose of this chapter.

1. Section 28.33 describes the methods of interpreting zoning district boundary lines. Explain how your circumstances are not covered by Section 28.33:
N/A

OR

2. Explain how physical or cultural features existing on the ground vary with those shown on the Official Zoning Map:
There are similar signs across the street on Greenwood Ave from where the proposed blade sign will be.



The Greenwood site -
Rezoning to R-4

Food Pantry: post-mounted
sign at corner of intersection

ZipPrint - projecting sign
on building. Sign and
awning project similar
distance from building
as the proposed blade
sign on The Greenwood
building.

ZONING CLASSIFICATION

- R-1 One Family Residential
- R-2 One and Two Family Residential
- R-3 Multiple Family Residential
- R-4 High Density Apartment and Office
- R-5 Mobile Home Park
- R-6 Residential and Low Density Office
- C-1 Neighborhood Commercial
- C-2 Community Commercial
- C-3 Central Commercial
- C-4 General Commercial
- PB Planned Building Group Shopping Center
- I-1 Light Industrial
- I-2 General Industrial
- PUDD Planned Unit Development District



Food Pantry post-mounted sign
701 Greenwood Ave



Zip Print projecting sign
711 Greenwood Ave

MEMO TO: City of Jackson Zoning Board of Appeals
FROM: Chris Atkin, Planning Director and Zoning Administrator
DATE: March 15, 2023
SUBJECT: Administrative Decision Appeal

Pursuant to zoning ordinance Section 28-239, where it is alleged that there is an error in any order, requirement, decision, grant or refusal made by the zoning inspector or other administrative official in the interpretation of this chapter, the zoning board of appeals shall have the power to hear and decide appeals, filed as provided herein.

The applicant is appealing an administrative decision which denied a request to permit a projecting sign on a proposed multi-family structure development to be located between W. Wilkins Street, W. Biddle Street, and Greenwood Avenue.



The current zoning designation of the seven (7) lots shown above is R-4, High Density Apartment and Office. Prior to development, the lots will be combined.

Per zoning ordinance Section 28-253(h), projecting signs are only permitted in the C-3 district.

<p>Projecting Signs. Only permitted in the C-3 District, subject to a sign permit.</p>	<p><i>Total Sign Area.</i> The sign shall not exceed sixteen (16) square feet in area with a maximum width of two (2) feet measured from the inside edge of the sign which shall be no more than six (6) inches from the exterior wall of the structure.</p> <p><i>Height.</i> Projecting signs must be affixed to the front façade of the business and allow a nine (9) foot clearance from the bottom of the sign to the sidewalk. The top of the sign shall not be installed at a height taller than the bottom of the second floor or between the parapet and the windows of a single story structure.</p>	<p>The applicant is permitted a projecting sign in place of one (1) of the allowable wall signs. A revocable license is needed if the sign projects into a public right-of-way. (see section 28-166)</p>
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The zoning board of appeals is to review the administrative decision to determine whether it was based on the standards in the zoning ordinance and is a defensible decision; the ZBA has the authority to reverse or affirm, in whole or in part, or modify the administrative decision being appealed.