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**CITY OF ST. JOHNS
ZONING BOARD OF APPEALS**

MEETING AGENDA

MEETING DATE: July 19, 2023

The St. Johns Zoning Board of Appeals will hold a regular meeting on July 19, 2023 at 5:30 pm in the Commission Chambers located at the Clinton County Courthouse, 100 E. State Street, St. Johns, MI. (Please use Cass St. Entrance.)

AGENDA

- 1. Call to Order (5:30 pm)**
- 2. Approval of Agenda (5:30 pm – 5:32 pm)**
- 3. Public comment for non-agenda items (5:33 pm – 5:34 pm)**
- 4. Old Business**
 - A. Approval of April 19, 2022 Meeting Minutes (5:35 pm – 5:40 pm)**
- 5. New Business (5:41-6:00)**
 - A. Applicant:** St. Joseph Catholic Church
Property Address: 109 E. Linden Street
Zoning: MC Municipal Center
Request: Variance from maximum size of freestanding sign.
- 6. Adjournment**

St Joseph Church

NORTH ↓

CLASS ST

LAWN AREA

SIDEWALK

LAWN

BENCH

MONUMENT

TREE

PROPOSED SIGN

PAVERS

PAVERS

(REMOVAL OF)
EXISTING RAISED PLANTER

5' SETBACK

SIDEWALK

LAWN AREA

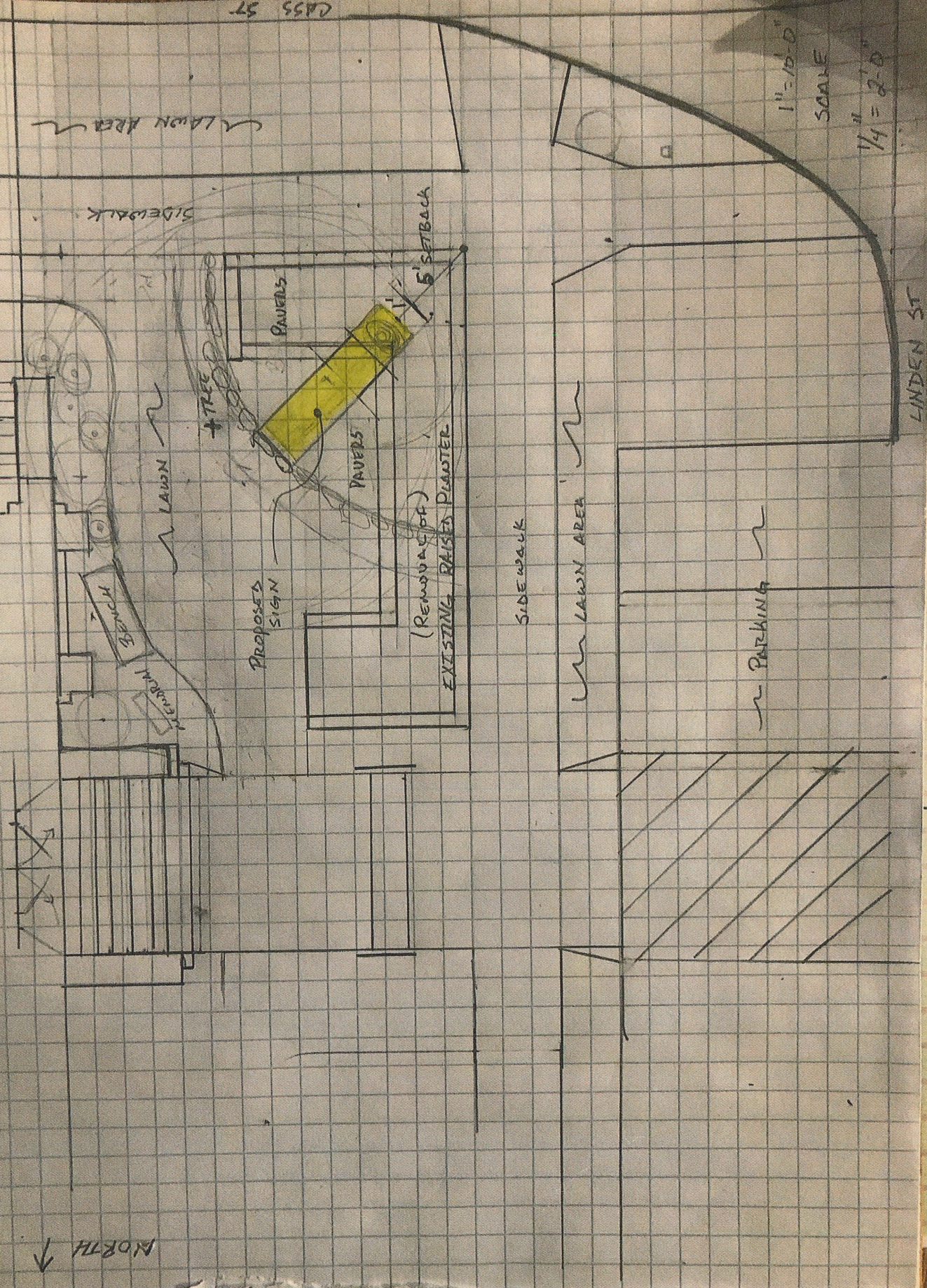
PARKING

1" = 10'-0"

SCALE

1/4" = 2'-0"

LINDEN ST





MCKENNA

July 13, 2023

Zoning Board of Appeals
City of St. Johns
100 E. State Street, #1100
St. Johns, MI 48879

Subject: Review of Sign Variance for St. Joseph Catholic Church: 109 E. Linden Street

Dear Board Members:

We have reviewed the application for a variance to allow St. Joseph Catholic Church to install a 72 square foot sign in the MC Municipal Center District, which restricts freestanding signs to 24 square feet.

BACKGROUND

St. Joseph Church is proposing to install a new sign facing the intersection of Linden and Cass Streets, next to the existing statue of St Joseph. The sign would be 8 feet tall and 9 feet wide, for a total area of 72 square feet. The MC District only allows signs up to 24 square feet.

The sign's height (8 feet) is permitted – the maximum height for signs in the MC District is 10 feet.

VARIANCE

The applicant seeks the following variances, pursuant to the Sign Ordinance:

A variance from Section 153.05 to allow a 72 square foot sign, 48 square feet larger than permitted in the MC Municipal Center District.

CRITERIA FOR APPROVAL

Section 153.11.B grants the ZBA the power to grant variances from the Sign Ordinance. The Sign Ordinance does not list criteria for these variances, so we have used the criteria from the Zoning Ordinance to review the application.

Criteria 1: That compliance of the strict letter of the chapter would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

St. Joseph is permitted to install a freestanding sign on their property. The 24 square foot limit does not completely prohibit them from having a sign, though the church is a monumental building, and a small sign may not fit as well as the proposed sign.

Criteria 2: That a grant of the variance applied for would do substantial justice to the applicant as well as to other property owners in the district, and that a lesser relaxation than that applied for would give substantial relief to the owner of the property involved and be more consistent with justice to other property owners

St. Joseph is in the MC District, like several of its neighbors, including the County Courthouse and Osgood Funeral Home. The 24 square foot limit applies to all of those properties, and thus substantial justice is



maintained within the MC District. The nearby O Office District (Koenigsknect Dentistry) also restricts

However, the church is also near a number of properties that are in the CBD Central Business District, including the Wilson Center and the businesses along N. Clinton Avenue. These properties are permitted to have freestanding signs up to 50 square feet. So there is not substantial justice between St. Joseph and its CBD zoned neighbors.

Criteria 3: That the plight of the landowner is due to the unique circumstances of the property.

The large historic church, in a prominent, visible downtown location is a unique circumstance that could warrant a larger sign than would be appropriate in a more secluded location.

Criteria 4: That the problem is not self-created.

St. Joseph is requesting the larger sign, but it did not create the situation where a large sign could be visually appropriate, and would be permitted on nearby properties, but is not permitted on this one.

Criteria 5: In granting a non-use variance, the Zoning Board of Appeals shall ensure that the spirit of the chapter is observed, public safety secured, and substantial justice done.

The proposed sign does not threaten public safety, nor does it violate the spirit of the Zoning Ordinance. The question of substantial justice comes down to whether the ZBA views the ability of CBD-zoned properties to have larger signage as a substantial justice issue.

FINDINGS

Based on the above analysis, the following findings are pertinent:

1. The church is located in a prominent downtown location, but is not permitted to have the same size of signage as nearby businesses.
2. Other institutions and businesses in the MC District have operated with 24 square foot signs or smaller without experience harm or negative impacts.

RECOMMENDATION

The ZBA must weigh the two findings presented above. If the ZBA finds that the allowance for larger signs in the nearby CBD District represents a violation of substantial justice to the church, then the ZBA would be justified in granting the variance. If the ZBA does not find that distinction to be a violation of substantial justice, then the ZBA should deny the requested variance.

Respectfully submitted,

McKENNA ASSOCIATES



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Senior Principal Planner

Jeff Keesler
Associate Planner