

CITY OF  
**PORTAGE**  
*A Place for Opportunities to Grow*

# **PLANNING COMMISSION**

**October 18, 2012**

**CITY OF PORTAGE PLANNING COMMISSION**

**A G E N D A**

**October 18, 2012  
(7:00 p.m.)**

**Portage City Hall Council Chambers**

**CALL TO ORDER**

**PLEDGE OF ALLEGIANCE**

**APPROVAL OF MINUTES:**

\* October 4, 2012

**PUBLIC HEARINGS:**

**SITE/FINAL PLANS:**

**NEW BUSINESS:**

\* 1. 2013 Recreation and Open Space Plan Update

**OLD BUSINESS:**

**STATEMENT OF CITIZENS:**

**ADJOURNMENT:**

**MATERIALS TRANSMITTED**

September 25, 2012 City Council meeting minutes  
September 11, 2012 Zoning Board of Appeals meeting minutes

Star (\*) indicates printed material within the agenda packet.

PLANNING COMMISSION

DRAFT

October 4, 2012

The City of Portage Planning Commission meeting of October 4, 2012 was called to order by Chairman Cheesebro at 7:00 p.m. in Council Chambers of Portage City Hall, 7900 South Westnedge Avenue. No citizens were in attendance.

**MEMBERS PRESENT:**

Wayne Stoffer, Bill Patterson, Paul Welch, Miko Dargitz, David Artley, Allan Reiff and James Cheesebro.

**MEMBERS ABSENT:**

None.

**MEMBERS EXCUSED:**

Rick Bosch and Dave Felicijan.

**IN ATTENDANCE:**

Vicki Georgeau, Director of Community Development; Christopher Forth, Deputy Director of Planning, Development and Neighborhood Services; and Randall Brown, City Attorney.

**PLEDGE OF ALLEGIANCE:**

Chairman Cheesebro led the Commission in the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

Chairman Cheesebro referred the Commission to the September 20, 2012 meeting minutes contained in the agenda packet. There being no comments, a motion was offered by Commissioner Dargitz, seconded by Commissioner Patterson, to approve the minutes as submitted. The motion was approved 7-0.

7:05 p.m. – The Commission took a short recess and reconvened the meeting in conference room number 1 at 7:10 p.m. to discuss business signs

**PUBLIC HEARINGS:**

None

**SITE/FINAL PLANS:**

None

**OLD BUSINESS:**

None

**NEW BUSINESS:**

1. Business Signs. Georgeau provided an introduction regarding the topic of business signs. Georgeau summarized the topics of review by the Council Sign Committee involving business signs and the desire of the Committee to obtain input from the Planning Commission and Zoning Board of Appeals members. After receiving input from the Planning Commission and Zoning Board of Appeals members, the Sign Committee will report back to City Council and further discuss the topic of business signs at the upcoming City Council retreat. Georgeau explained the intent of the sign ordinance and summarized the historical development of the ordinance and amendments that have been made over the years as well as administrative trends relating to the number of permits issued annually, Zoning Board of Appeals variance requests and typical sign violations.

Georgeau requested input from the Planning Commission regarding signs (freestanding, wall and temporary signs) in general, and if there were concerns or opportunities to consider. Chairman Cheesebro indicated he attended the City Council meeting when the banner sign amendment was discussed and there was very little public interest at the time. In addition, he noted only one citizen and one sign company commented at the hearings for electronic message displays. The discussion that followed focused primarily on temporary and banner signs. Commissioner Dargitz commented that she believes there may not be a level playing field regarding the use of window signs since some businesses and institutional uses may have significantly more window area than others. Georgeau stated that the sign ordinance does not regulate signs placed on the inside of a window(s), but that windows along a building façade are encouraged for architectural interest and design. Commissioner Dargitz also mentioned that signs present a placemaking opportunity as opposed to a competition among businesses to attract attention. Commissioner Welch asked what the community should like related to the use and appearance of business signs: Las Vegas v. Richland v. Hilton Head. Commissioner Welch also asked if there is a community that could serve as Portage's benchmark. Commissioner Welch acknowledged the need for businesses to advertise but also need to look at the big picture. Commissioner Welch mentioned the problems with the use temporary signs and glare/brightness of electronic message display boards (EMD). Commissioner Artley commented that not all signs should have to look the same. Businesses should have choices, but at the same time there should be regulations to ensure consistency for business owners. Commissioner Artley stated very tall signs appear out of place and multi-tenant signs with numerous sign panels can be hard to read.

Commissioner Welch identified three categories of signs: Standard business signs, temporary signs and creative or unique signs. Creative or unique signs, such as a tea cup, should have some mechanism for approval. Commissioner Dargitz noted that with the development of low cost GPS devices used to find places of business, the need for signs is less today. Commissioner Welch agreed and suggested the intent of a sign to identify a location may be less today than it was 40 years ago and the cost for a larger sign may better suited for advertising purposes. Chairman Cheesebro noted that signs being erected today are attractive, but had concerns about the brightness level of some EMD signs. Commissioner Patterson concurred and added that dramatic background contrast of some EMD signs are distracting and poor design. Commissioner Dargitz suggested regulating sign colors/contrast. Attorney Brown advised against this type of regulation. Commissioner Stoffer stated that temporary signs are his primary concern. Some temporary signs can have the appearance of litter. Commissioner Welch suggested that if a wide variety of signs are permitted, it can create inconsistent problems for business owners. Limiting the use of signs levels the playing field and creates less competition among businesses. Commissioner Welch also mentioned that South Westledge Avenue corridor is unique and perhaps an overlay district for sign regulations should be considered. Commissioner Stoffer suggested offsetting freestanding signs so the view of a sign is not blocked by another.

There being no further discussion, Georgeau thanked the Commission members for their input regarding business signs and indicated their comments would be forwarded to City Council.

**STATEMENT OF CITIZENS:**

None.

**ADJOURNMENT:**

There being no further business to come before the Commission, the meeting was adjourned at 8:40 p.m.

Respectfully submitted,

Christopher T. Forth, AICP  
Deputy Director of Planning, Development & Neighborhood Services

**TO:** Planning Commission

**DATE:** October 12, 2012

**FROM:** Vicki Georgeau, <sup>VG</sup> Director of Community Development

**SUBJECT:** 2013 Recreation and Open Space Plan Update

The Department of Parks, Recreation and Public Services has initiated an update of the 2008 Recreation and Open Space Plan. The Recreation and Open Space Plan is a component of the Comprehensive Plan and is updated every five years and amended, as necessary, to provide a valuable planning tool and fulfill Michigan Department of Natural Resources (MDNR) requirements for park acquisition and development grants. Enclosed is a draft copy of the 2013 Recreation and Open Space Plan.

The following summarizes the substantive changes since the 2008 Plan update:

1. The Eliason Nature Reserve has been added to the inventory of park facilities.
2. The combination of West Lake Nature Preserve, South Westnedge Park, Bishops Bog, Schrier Park and Eliason Nature Reserve has been identified as the Portage South Central Greenway. These adjoining recreational areas encompass more than 450 acres and five miles of trails.
3. Content of the Plan has been revised to fulfill MDNR Grants requirements.
4. Section III, Administrative Structure, has been updated to reflect changes in the city organization and the revised vision and mission for the Parks & Recreation divisions.
5. Section IV, Recreation Inventory has been revised to be consistent with MDNR Grant guidelines. Parks have been reclassified, descriptions updated and information on accessibility and MDNR Grant inventory added.
6. Section V, Planning Process, Public Input and Public Information has been added to fulfill MDNR requirements.
7. Section VIII, Short-term Objectives and Section IX, Action Plan Priority List and Financial Program has been updated to reflect the 2012-2013 Capital Improvement Program

During the October 10, 2012 meeting, the Parks Board reviewed the draft 2013 Recreation and Open Space Plan Update and has recommended approval of the Plan update to the Planning Commission. Attached is a communication from Parks Board Vice-Chairperson, Susan Williams.

As required by the Michigan Planning Enabling Act (Act 33 of 2008, as amended), once the Planning Commission has completed review of the draft document, it is submitted to the legislative body for review and comment. The City Council must then approve the distribution of the 2013 Recreation and Open Space Plan Update to adjacent communities and the county, which are provided up to 42 days to review the plan and submit any comments. At the conclusion of the review and comment period, the Planning Commission will conduct a public hearing and review any comments regarding the 2013 Recreation and Open Space Plan Update. After considering comments and any changes, the Planning Commission will provide a recommendation to City Council. The MDNR requires that the recreation plan element of the Comprehensive Plan be adopted by the local governing body.

The Planning Commission is advised to review and discuss the 2013 Recreation and Open Space Plan Update Plan Update during the October 18, 2012 meeting. Changes, if any, will be incorporated into the document before the Plan is forwarded to City Council.

Attachment: 2013 Recreation and Open Space Plan Update  
Communication from the Parks Board dated October 11, 2012

# CITY OF PORTAGE

PARK BOARD

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7900 SOUTH WESTNEDGE AVENUE, PORTAGE, MI 49002

October 11, 2012

Dear Members of the Portage Planning Commission:

Re: Proposed 2013 Recreation and Open Space Plan Update

Attached to this communication is a copy of the proposed 2013 Recreation and Open Space Plan Update prepared by the Parks, Recreation & Public Services Department. The Recreation and Open Space Plan is an element of the Comprehensive Plan and must be updated every five years to comply with community recreation planning guidelines established by the Michigan Department of Natural Resources Grants Management Division. The proposed 2013 Recreation and Open Space Plan includes updated community profile information, citizen survey data gathered from the 2011 Citizen Survey, park facility additions and modifications and recreation program revisions that reflect the changing needs occurring in the community and park system since the 2008 plan update.

During the October 10, 2012 meeting, the Park Board completed a thorough review of the proposed 2013 City of Portage Recreation and Open Space Plan Update. At the conclusion of the discussion, the Park Board voted unanimously to forward the Plan to the Planning Commission to initiate the formal public hearing process in accordance with the requirements Public Act 33 of 2008, Michigan Planning Enabling Act.

Sincerely,

A handwritten signature in cursive script that reads "Susan William".

Susan William, Vice-Chairperson  
Portage Park Board

# **MATERIALS TRANSMITTED**

## **CITY COUNCIL MEETING MINUTES FROM SEPTEMBER 25, 2012**

The Regular Meeting was called to order by Mayor Strazdas at 7:30 p.m.

At the request of Mayor Strazdas, Councilmember Terry Urban gave an invocation and City Council and the audience recited the Pledge of Allegiance.

The City Clerk called the roll with the following members present: Councilmembers Elizabeth A. Campbell, Jim Pearson, Patricia M. Randall, Edward J. Sackley and Terry R. Urban, Mayor Pro Tem Claudette S. Reid and Mayor Peter J. Strazdas. Also in attendance were City Manager Maurice S. Evans, City Attorney Randy Brown and City Clerk James R. Hudson.

**APPROVAL OF MINUTES:** Motion by Sackley, seconded by Reid, to approve the September 11, 2012 Special and Regular Meeting Minutes as presented. Upon a voice vote, motion carried 7 to 0.

\* **CONSENT AGENDA:** Mayor Strazdas asked Councilmember Sackley to read the Consent Agenda. Mayor Strazdas removed Item F.4, City Council 50<sup>th</sup> Anniversary Committee, from the Consent Agenda, and Councilmember Urban asked that Item F.6, Donation Boxes – Information Only, be removed from the Consent Agenda. Motion by Sackley, seconded by Reid, to approve the Consent Agenda motions as amended. Upon a roll call vote, motion carried 7 to 0.

\* **APPROVAL OF ACCOUNTS PAYABLE REGISTER OF SEPTEMBER 25, 2012:** Motion by Sackley, seconded by Reid, to approve the Accounts Payable Register of September 25, 2012. Upon a roll call vote, motion carried 7 to 0.

### **REPORTS FROM THE ADMINISTRATION:**

\* **WATER SUPPLY AGREEMENT WITH THE CITY OF KALAMAZOO:** Motion by Sackley, seconded by Reid, to approve the City of Kalamazoo – City of Portage Water Supply Agreement and authorize the Mayor to sign the agreement on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

\* **RECOMMENDED BUDGET AMENDMENTS – END OF FISCAL YEAR HOUSEKEEPING:** Motion by Sackley, seconded by Reid, to amend the General Appropriations Act (budget) for the fiscal year ending June 30, 2013, for the total amount of \$3,388,773.38. Upon a roll call vote, motion carried 7 to 0.

\* **CONSTRUCTION BOARD OF APPEALS RAZE ORDER - 1518 EAST CENTRE AVENUE:** Motion by Sackley, seconded by Reid, to accept the order of the Construction Board of Appeals to demolish the pole barn and accessory loading dock at 1518 East Centre Avenue; and authorize the City Administration to take the necessary action to demolish the pole barn and accessory loading dock at 1518 East Centre Avenue, place a lien and assess the property to recover the costs associated with demolition consistent with the ordinance. Upon a roll call vote, motion carried 7 to 0.

**CITY COUNCIL 50<sup>TH</sup> ANNIVERSARY COMMITTEE:** Mayor Strazdas asked for volunteers from City Council to participate on the City Council 50<sup>th</sup> Anniversary Committee and indicated that the Committee would not meet that often, would review the suggestions from the public and the Advisory Boards, and would bring recommendations to City Council. Discussion followed. Motion by Campbell, seconded by Reid, to appoint the entire City Council as the City Council 50<sup>th</sup> Anniversary Committee to consider additional suggested activities and events from Advisory Boards and Commissions and Portage residents and present the additional suggested activities and events to the City Council no later than October 23, 2012. Upon a voice vote, motion carried 7 to 0.

\* **2012 CITY COUNCIL GOAL SETTING SESSION:** Motion by Sackley, seconded by Reid, to establish Friday, November 16, 2012, as the date of the 2012 City Council Goal Setting Session. Upon a roll call vote, motion carried 7 to 0.

**DONATION BOXES – INFORMATION ONLY:** Councilmember Urban expressed concern with the confusing relationship between the donation boxes “cropping up” around the city and the boxes of local non-profit organizations. He expressed a desire for an ordinance to address the removal of the boxes should the need arise and indicated that these are not on the list of an accessory uses of the primary use of the business activity. Councilmember Sackley indicated he spoke with a representative from Goodwill Industries, who indicated that the boxes became a problem and do not use them anymore. He said they became trash repositories, a liability and a hazard. Discussion followed. Motion by Urban, seconded by Sackley, to receive the communication from the City Manager regarding donation boxes as information only. Upon a roll call vote, motion carried 7 to 0.

\* **AUGUST 2012 SUMMARY ENVIRONMENTAL ACTIVITY REPORT – INFORMATION ONLY:** Motion by Sackley, seconded by Reid, to receive the communication from the City Manager regarding the August 2012 Summary Environmental Activity Report as information only. Upon a roll call vote, motion carried 7 to 0.

\* **DEPARTMENT MONTHLY REPORTS:** Motion by Sackley, seconded by Reid, to receive the Department Monthly Reports from the various city departments. Upon a roll call vote, motion carried 7 to 0.

#### **COMMUNICATIONS:**

**ANNUAL PRESENTATION BY SENIOR CITIZEN ADVISORY BOARD VICE-CHAIRPERSON LAWRENCE SMITH:** Senior Citizen Advisory Board Vice-Chairperson Lawrence Smith provided the annual report from the Board. Deputy Director of Recreation & Senior Citizens Services Jill Hess was available for questions and concerns and Alternate Board Member Trudy Riker discussed the Trip committee. Discussion followed. Motion by Reid, seconded by Sackley, to receive the Annual Presentation by Senior Citizen Advisory Board Vice-Chairperson Lawrence Smith. Upon a voice vote, motion carried 7 to 0.

\* **MINUTES OF BOARDS AND COMMISSIONS:** City Council received the minutes for the following boards and commissions:

Portage Human Services Board of August 2, 2012.

Portage Zoning Board of Appeals of August 13, 2012.

Portage Planning Commission of August 16 and September 6, 2012.

#### **AD HOC COMMITTEE REPORT:**

**CITY COUNCIL SIGN COMMITTEE REPORT:** At the request of Mayor Strazdas, Councilmember Sackley provided an update and discussion of the activities and considerations of the City Council Sign Committee, especially addressing the questions of what are temporary signs and what to do with the interior sign issues. He indicated that the Committee is seeking suggestions for the four topics provided in his written presentation to City Council. Discussion followed. Motion by Reid, seconded by Sackley, to receive the Sign Committee Report from Councilmember Sackley. Upon a roll call vote, motion carried 7 to 0.

**CITY COUNCIL BUSINESS AND THE CITY OF PORTAGE REPORT:** At the request of Mayor Strazdas, Councilmember Randall provided a review of the recent meeting of the Business And the City of Portage Committee. She outlined the plans to visit with small businesses, the Chamber of Commerce and SouthWest Michigan First. She mentioned the possibility of a Business Survey in the future and discussion followed. Motion by Reid, seconded by Pearson, to receive the Business And the City of Portage Committee Report from Councilmember Randall. Upon a roll call vote, motion carried 7 to 0.

**ETHICS/RULES/PROCEDURES COMMITTEE REPORT:** At the request of Mayor Strazdas, Councilmember Urban indicated Ethics/Rules/Procedures Committee discussed Councilmember Attendance Policy and campaign comments/speeches in public meetings and the current Charter versus Ordinance conflict of laws with Mayor Pro Tem selection process and the question of the need to change the Rules of Order and Procedure. Motion by Campbell, seconded by Reid, to receive the Ethics/Rules/Procedures Committee Report from Councilmember Urban. Upon a roll call vote, motion carried 7 to 0.

**BID TABULATIONS:**

\* **COMPUTER REPLACEMENT:** Motion by Sackley, seconded by Reid, to approve the lease of 141 Lenovo replacement computers and peripheral equipment from Capital Advantage Leasing of Grand Rapids, Michigan, at a total lease price of \$106,286.40 for a three year period and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

\* **ANNUAL SUNGARD ENTERPRISE SOFTWARE LICENSING AND MAINTENANCE FEE:** Motion by Sackley, seconded by Reid, to approve an annual licensing and software maintenance services agreement with SunGard, Incorporated, at a total cost of \$66,338 and authorize the City Manager to execute all documents related to this agreement on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

\* **SWEEPER RENTAL FOR FALL LEAF PICKUP PROGRAM:** Motion by Sackley, seconded by Reid, to accept the quote submitted by Bell Equipment of Lake Orion, Michigan, in the amount of \$25,500 for rental of two Whirlwind vacuum sweepers for the Fall Leaf Pickup Program and authorize the City Manager to execute all documents related to this action on behalf of the city. Upon a roll call vote, motion carried 7 to 0.

**OTHER CITY MATTERS:**

**STATEMENTS OF CITY COUNCIL:** Councilmember Urban highlighted the new brochure that discusses code enforcement in the neighborhoods.

Councilmember Sackley, Mayor Strazdas and City Manager Evans expressed appreciation for the cooperation of the Administrations of both Portage and Kalamazoo which enabled them to reach the Water Supply Agreement. Mayor Strazdas announced that Monday, September 23, 2012, was the first night the Portage Public School Board of Education met in City Council Chambers as their new meeting location. He then referenced the Portage City Hall lobby as a place to view ongoing art displays from various artists in the community, and he highlighted the current display of fine photography of displays in Seth Giem's Train Barn.

**ADJOURNMENT:** Mayor Strazdas adjourned the meeting at 9:52 p.m.

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James R. Hudson, City Clerk

**\*Indicates items included on the Consent Agenda.**

## CITY OF PORTAGE ZONING BOARD OF APPEALS

Minutes of Meeting – September 10, 2012

The City of Portage Zoning Board of Appeals meeting was called to order by Chair Linenger at 7:00 p.m. in the Council Chambers. Six people were in the audience.

**MEMBERS PRESENT:** Rob Linenger, Timothy Bunch, Doug Rhodus, Betty Schimmel, Jeffrey Bright, Lowell Seyburn, Mariana Singer, and Glenn Smith.

**MEMBERS EXCUSED:** Michael Robbe

**IN ATTENDANCE:** Jeff Mais, Zoning & Codes Administrator and Charles Bear, Assistant City Attorney

**APPROVAL OF THE MINUTES:** Bright noted he did not second the motion on August 13th to approve the July minutes. Singer moved and Smith seconded a motion to approve the August 13, 2012 and August 20, 2012 minutes as amended. Upon voice vote, motion was approved 7-0.

### **NEW BUSINESS:**

**ZBA #12-06, 7141 South Westnedge Avenue:** Staff summarized the request for a Temporary Use Permit to allow outdoor sales of agricultural products from September 28, 2012 through October 31, 2012, and annually thereafter. Seyburn abstained from participation due to a conflict of interest. Nancy Kortokrax stated they had operated their pumpkin sales at 6355 South Westnedge Avenue for many years but the site was no longer available to them and now they were requesting permission to hold their annual sales at 7141 South Westnedge.

The public hearing was opened. Ken Wahmhoff of Wahmhoff Farms, 11121 M-40 Highway, Gobles, MI stated they, like the Kortokrax's, conducted their annual Christmas tree sales at 6355 South Westnedge for many years but also have to find a new location. Mr. Wahmhoff stated he considered relocating his annual sales to 7141 South Westnedge, and did not agree with staff's recommendation that the zoning lot be limited to one Temporary Use per year. Singer inquired why staff was recommending a limit of one Temporary Use Permit per year when more than one occurred at 6355 South Westnedge Avenue. Staff stated temporary uses can cease to be 'temporary' without a limit on time and/or number of events. Staff stated the two annual Temporary Use Permits at 6355 South Westnedge were approved by the Board at a time when the Zoning Code required all outdoor sale events to be subject to Board review and approval. The Code was subsequently amended to allow administrative review of 'Business Special Events' at commercial properties for up to 28 days per calendar year (in addition to any Temporary Use approved by the Board). The public hearing was closed.

After additional discussion, a motion was made by Bright, seconded by Smith, to grant a Temporary Use Permit to allow outdoor sales of agricultural products from September 28, 2012 through October 31, 2012, and annually thereafter, conditioned upon the Temporary Use be subject to administrative review on an annual basis. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Bunch-Yes, Schimmel-Yes, Bright-Yes, Smith-Yes, Singer-Yes, Linenger-Yes, Rhodus-Yes. Motion passed 7-0.

**ZBA #12-08, 6503 and 6513 South Westnedge Avenue:** Staff summarized the request for a variance of four parking spaces to allow 61 parking spaces where 65 parking spaces are required by the Zoning Code. Mark Chilcott of Plazacorp stated they acquired the property from the original developer, Allied Capital. Two potential future tenants unfortunately fell through after their acquisition. Mr. Chilcott stated they have two new tenants lined up and that based on the parking counts they conducted during July and August found there was sufficient parking for both the existing tenants and two new tenants. Mr. Chilcott said it would not be in their interest to create a situation where tenants did not have adequate parking, and were confident that would not be the case with the new tenants.

A public hearing was opened. No one spoke for or against the request. The public hearing was closed.

A motion was made by Singer, seconded by Schimmel, to grant a variance to allow 61 parking spaces where 65 parking spaces are required by the Zoning Code, conditioned upon administrative review of parking requirements for future changes in tenancy for the zoning lot. There are exceptional circumstances applying to the property that do not apply generally to other properties in the same zoning district, which include: having tenants that do not need as many parking spaces as required by Code; the variance is necessary for the preservation and enjoyment of a substantial property right, the right to attract new tenants, which is similar to that possessed by other properties in the same zoning district and vicinity; inasmuch as the applicant was not the original developer, the immediate practical difficulty causing the need for the variance was not created by the applicant; the variance will not be detrimental to adjacent property and the surrounding neighborhood; and the variance will not materially impair the intent and purpose of the Zoning Code. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Upon roll call vote: Bunch-Yes, Schimmel-Yes, Seyburn-Yes, Singer-Yes, Linenger-Yes, Rhodus-Yes, Bright-Yes. Motion passed 7-0.

ZBA #12-05, 5126 Portage Road: Staff summarized the request for a three square-foot variance to replace an existing Shell Oil freestanding sign with a new 66 square-foot sign where a maximum 63 square-foot sign is permitted. Andy Rhodes of AnD Signs stated the proposed sign with digital price display was the standard freestanding sign being installed at numerous other Shell locations. Bright inquired how many other communities required them to get a variance to do so. The applicant responded this was the only one. Linenger inquired if the applicant also installed the Shell sign at the corner of South Westnedge and Romence. The applicant stated they did, but the site had enough frontage that a variance was not needed.

A public hearing was opened. No one spoke for or against the request. The public hearing was closed.

After explanation by staff how the proposed sign was a replacement of a conforming sign with a nonconforming sign, a motion was made by Seyburn, seconded by Singer, to grant a variance to replace an existing Shell Oil freestanding sign with a new 66 square-foot sign where a maximum 63 square-foot sign is permitted. The practical difficulties are the electronic sign will promote employee safety and will result in a reduction in size from the existing sign; the variance will not be detrimental to adjacent property and the surrounding neighborhood; and the variance will not materially impair the intent and purpose of the Zoning Code. In addition, the application and supporting materials, staff report, and all comments, discussion and materials presented at this hearing be incorporated in the record of this hearing and the findings of the Board, and that action of the Board be final and effective immediately. Upon roll call vote: Upon roll call vote: Bunch-Yes, Schimmel-Yes, Seyburn-Yes, Singer-Yes, Linenger-Yes, Rhodus-Yes, Bright-Yes. Motion passed 7-0

#### **OTHER BUSINESS:**

Elections for officers were held with the following results: Robert Linenger – Chair, Lowell Seyburn – Vice Chair, Betty Schimmel – Secretary.

#### **STATEMENT OF CITIZENS:**

**ADJOURNMENT:** There being no further business, the meeting was adjourned at approximately 8:00 p.m.

Respectfully submitted,

  
Jeff Mais  
Zoning & Codes Administrator