

(Retyped from the Original Blue Type)

The Portage Lake Overlay District, which the subject parcel falls within, does not allow for a stand-alone sign, but rather that the sign be attached to a structure. There are inherent issues with placing a sign on the proposed fueling canopy. First the franchise agreement with Marathon does not allow for signs to be placed on the face of the fueling canopy. That would mean that the sign would have to be placed on top of the fueling canopy in order to display fuel prices as well as any specials inside the store. This would require a substantial re-design of the structural integrity of the fueling canopy in order to meet the dimensional requirements as well as structurally withstand the wind forces anticipated. The financial burden of the canopy re-design makes this option not feasible, let alone the height that it would be above the consumer on a 30 mile per hour road.

The option of moving the sign to the building also poses difficulties. The north side of the building has, in the past, been the location the letters for the business contained within. Franz's Market and most recently Saco's Market. Blarney Castle planned on continuing this precedent by having the Blarney Castle Logo (Shamrock) along with the letters stating this was a Blarney Castle E-Z Market. In order to place a sign that will display fuel prices, store specials and any community events on it, there would have to be a re-design of the north wall of the building in order to ensure the safety of the public who would walk below the sign of the sidewalk along Main Street. Another consideration is the fact that the north building wall is very close to the boundary line. Extending the sign off the north building wall would cause the sign to encroach into the M-22 right of way. Placing the sign on either the east or west building wall is not an option for advertising fuel prices to consumers as they would only be visible from one direction on Main Street - M22.

Section 9603 B.3 states, "if there are practical difficulties in carrying out the strict letter of this Ordinance, the Board may grant a non-use variance under Section 9604.C relating to the construction, structural changes or alterations of structures related to dimension requirements or to other non-use standards or regulations in this ordinance."

We feel that the difficulties associated with trying to place the business sign on the existing building would cause structural changes and alterations to a building wall that would otherwise not need altering. It is also not practical to place the sign on the fueling canopy due to the complete re-design required to place the sign above the canopy (franchise license will not allow for signs to be placed on the face of the canopy). We will be at a distinct competitive disadvantage without a branded gasoline and LED sign at the Onekama location. The fuel consumer is trained to look close to the street for the fuel pricing sign - an example is both of our current gas stations located in Onekama. Fuel is a commodity and the price changes often. We will have about \$1.5M in the project by the time the project is complete and will need the capability to advertise our prices where the consumer expects them to be. We will be in close competition with Manistee and specifically Meijer (who does have a stand-alone advertising their fuel prices). Therefore we respectfully ask the board to grant a non-use variance for a stand -alone sign for the proposed Blarney Castle E-Z Market.

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C. A non-use variance from the terms of this Ordinance regarding a structure or parcel shall not be granted unless, after considering all the record evidence submitted at a Public Hearing held under this Article, a majority of the Regular Members and Alternate Members called to serve as a Board Member votes to concur with written findings that the following standards have been met:

1. Special conditions and circumstances exist which are peculiar to the parcel or structure involved and which are not applicable generally to other parcels or structures in the same Zoning District.

Describe:

2. The special conditions and circumstances required to be demonstrated in Section 9604.C.1 do not result from the actions of the requesting person.

Describe:

The proposed gas station will be a Marathon station. The Marathon Franchise agreement requires a stand-alone fuel price sign. This is not an action of Blarney Castle Oil Co., but rather a requirement of the franchise agreement.

3. A literal interpretation of the provisions of this Ordinance would deprive the requesting person of rights commonly enjoyed by owners of other properties in the same Zoning District under this Ordinance.

Describe:

There are two gasoline station/convenience stores in Onekama, both of which have stand-alone signs. The proposed project to install a similar business in the same zoning district would competitively compare and benefit from a similar stand-alone sign.

4. The non-use variance, as granted, is in harmony with the general purpose and intent of this Ordinance, is not injurious to the neighborhood or otherwise detrimental to the public safety, and is the minimum variance that will provide substantial justice to the applicant by allowing reasonable use of the structure or parcel.

Describe:

Development of the EZ Market and construction of the proposed new stand-alone sign for a new gasoline station and grocery store in Onekama will coincide with decommissioning of two other gasoline station/convenience stores on the same street. The existing sign for the Spirit station would then be removed as part of the transition. The sign in front of the current EZ Mart may or may not be removed. Plans for that building have not been made at this time. We believe that one intent of the ordinance is to minimize the number of stand-alone signs in Onekama. Our plan to decommission two older stores and replace with a new store, and the corresponding reduction of one gasoline price sign, would meet this intent.

5. The grant of the non-use variance is appropriate because there are practical difficulties in carrying out the strict letter of this Ordinance, the spirit of this Ordinance is observed, public safety is secured and substantial justice is done.

Describe:

Blarney Castle Oil Co., wishes to place a stand-alone sign on the site of their new E-Z Market in Onekama (Former Saco's Market site). This project has received approval from the Village of Onekama Planning Commission as well as the Village Council. The Village Council approved the plan with the stipulation that the proposed sign shown on the site plan be moved to the building or fueling canopy, or that a variance for the sign be requested. The applicant has chosen to seek a variance for their sign.