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WHITE LAKE TOWNSHIP

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WHITE LAKE TOWNSHIP ZONING BOARD OF APPEALS

May 27, 2010 at 7:00 p.m.

7525 Highland Road
White Lake, MI 48383

Ms. Spencer called the regular meeting of the White Lake Township Zoning Board of Appeals to order at 7:00 p.m. and led the Pledge of Allegiance. Roll was called: Mr. Gilbert was absent.

ROLL CALL: Robert Artinian – Secretary
Wayne Gilbert – Vice Chairperson - **Absent**
Mike Lanthier
Mike Long
Linda Pearson - Alternate
Josephine Spencer - Chairperson

Also Present: Sean O'Neil, Township Planning Director
Lynn Lindon, Recording Secretary

Visitors: 1

Approval of Agenda:

Mr. Long moved to approve the agenda as presented. Ms. Pearson supported and the **MOTION CARRIED** with a voice vote. (5 yes votes)

Approval of Minutes:

- a. Minutes of December 10, 2009
- b. Minutes of March 25, 2010

Mr. Artinian moved to approve the minutes of December 10, 2009 as presented. Mr. Long supported and the **MOTION CARRIED** with a voice vote. (3 yes votes; 2 abstained – Spencer/Long)

Mr. Artinian moved to approve the minutes of March 25, 2010 as presented. Mr. Lanthier supported and the **MOTION CARRIED** with a voice vote. (3 yes votes; 2 abstained – Long/Pearson)

New Business:

Applicant: **File No. 09-018**
Philip Sign Co.
40920 Executive Drive

Location: Harrison Township, MI 48045
9434 Highland Road (Salvation Army), identified as 12-23-201-002
Request: Variance to Article 4, Section 4.28 (l) 2a & b, for maximum size and number of wall signs in a non-residential district

Mr. O'Neil reviewed the report dated December 3, 2009. This Salvation Army store is located on the north side of M-59 west of the intersection at Fisk Road. The applicant wishes to install a third wall sign (on the east side of the building) when only one is permitted by the ordinance. Their primary sign is located on the south side of the building and a secondary sign located on the west side of the building. The applicant would like to install a sign on the eastern side like the one found on the west side of the building currently.

It is the opinion of the Planning Department that the sign located on the south side of the building serves little purpose as motorists traveling along M-59 have to be directly in front of the building before the sign is visible. Principal buildings with a front façade of at least 250 ft. long may be permitted a total of 3 signs, whose total area shall conform to the maximum size of the signs. It should be noted that the front façade of this building is 125 ft.

Mr. O'Neil added that if the ZBA approves this variance request, there should be a deed restriction (at the applicant's expense) that prohibits a monument sign and any further signage on the site. If in the future they want a monument sign, the wall signs would have to be removed. Also, there is some damage to the aluminum siding that should be repaired and repainted and approval of the variance could be contingent on that.

Ms. Spencer noted for the record that 25 occupant/homeowners were notified of the request. There were no letters received in favor or opposition and 2 were returned undeliverable by the postal service.

Mr. Long indicated there was discussion in December with regard to putting a shield on the east side of the building and removing the lettering from the south side. Mr. O'Neil noted that their request has changed in that they are looking to keep the lettering and having shields on both the east and west sides of the building. In return, they are foregoing the monument sign that they are entitled to. Mr. Long stated he is not in favor of granting something that is already non-conforming.

Ms. Spencer feels there would be a hardship if the front sign comes down. The building is close to the road and vehicles are moving quickly down M-59. There is potential for traffic accidents as well. Mr. Lanthier added that the practical difficulty is with the building being so close to the road.

Mr. Long stated he is not opposed with shields on both sides of the building, but he will not expand any farther than 2 signs. Ms. Pearson stated the township has rules and ordinances for a reason. She likes the thought process for signs on both sides of the building, but not in front.

The applicant asked whether they could move signage around since they already have permits in place, but Mr. O'Neil noted there is a development agreement that affects this property from the previous owner of the building (McMachen). At this point, the applicant is still asking for something in conflict with what the ordinance allows.

There was continued discussion on the applicant coming to the ZBA versus going to the Planning Commission to have the development agreement amended, which is a lengthier process and would require approvals from the commission and the township board.

Ms. Spencer moved in File 09-018 to a grant a variance to Article 4, Section 4.28 (l) 2a & b, for maximum size and number of wall signs in a non-residential district with following provisions: That the minutes of this meeting be permanently recorded on the deed, the

east side of the building have repairs made meaning the side being painted and channel cut on the south part of the building on east side. The applicant has agreed to restrict themselves to no more signage, including a monument sign, on the site and the property and that this also be recorded on the deed, unless all other signs come to conformity. Mr. Artinian supported and the MOTION CARRIED with a roll call vote: Spencer – yes; (there is a hardship in that keeping the sign on front is instrumental in making sure there is visibility. The building is too close to the road and the addition of a 3rd sign will allow for greater visibility to draw traffic in and eliminate accidents; Artinian – yes (the sign provides “color on the box” and this is minimal in exchange for repairs and paint; Lanthier – yes (for the reasons stated) Long – no (we are expanding a non-conformity and there are other ways to solve the problem without impeding traffic; Pearson – no (for same reasons as her comments on 12/9/09, they are over the sign limits and we have ordinances for a reason). (3 yes votes)

Next Meeting Date:

- a. June 24, 2010

Adjournment:

Mr. Lanthier moved to adjourn the meeting at 7:40 pm. Mr. Long supported and the MOTION CARRIED with a voice vote. (5 yes votes)