

**CITY OF BRIGHTON
ZONING BOARD OF APPEALS
MINUTES
February 13, 2014**

1. Call to Order

Chairperson Angst called the meeting to order at 7:30 p.m. and the following members were present:

2. Roll Call

Gino Conedera – Present
Russ Gottschalk – Absent
Doug Angst – Present
Ricci Bandkau - Present
Dave Senak – Absent
David McLane – Present
Alicia Urbain - Present
Amy Cyphert
Lauri French

Motion by Board Member Conedera, seconded by Urbain, to excuse Board Members Gottschalk and Senak.
Motion carried 5-0-2.

3. Approval of the December 12, 2013 Meeting Minutes

Motion by Board Member McLane, seconded by Conedera, to approve the meeting minutes of December 12, 2013 as presented. **Motion carried 5-0-2.**

4. Approval of the February 13, 2014 Meeting Agenda

Motion by Board Member Bandkau, seconded by Urbain, to approve the February 13, 2014 agenda as presented.
Motion carried 5-0-2.

New Business

- 5. Signs by Crannie representing Halo Burger – 8367 W. Grand River (18-19-300-024)**, will have a wall sign at 32 square feet in area at their primary entrance and are proposing a secondary wall sign at 32 square feet in area on the building elevation along I-96. **Section 66-94 (4) (b)** states each occupant, tenant or user of space whose principal entrance is such that a public entrance is provided directly from the outside into the store shall be permitted one wall sign not exceeding 32 square feet in area at that primary entrance or within the plane of the wall where the public entrance is located. Businesses which have in excess of 50 lineal feet of building frontage on a public street, alleyway or parking area, to which there is a public or primary entrance, the wall sign area may be increased by one square foot for each one lineal foot of frontage between 50 and 150 feet not to exceed a total of 132 square feet. In addition, if a wall of the building which does not have a public entranceway or is a secondary entrance, is adjacent to a public right-of-way, one wall sign not exceeding 50 percent of the total surface area of the above primary wall sign shall be permitted. The applicant is requesting a variance of 16 square feet to allow a 32 square foot secondary wall sign along I-96.

Chairperson Angst reviewed the applicant's request. As noted in Blue Sky, Ms. Cyphert noted that a majority of those present must vote "yes" to approve the sign variance. Chairperson Angst asked the applicant to address the board and explain his variance request.

Nick Trifon from Signs by Crannie, 4160 Commerce, Flushing, MI 48433, was present. He reviewed the request and passed out two handouts; one was a picture of the Bed Bath & Beyond, Marshalls and JoAnn Fabrics signs and the other was a Google™ Map showing the location of the sign for which they are requesting a variance in relation to the I-96 expressway. Mr. Trifon included a list of practical difficulties with his application which is in the packet. The list is attached and made part of these minutes. He reviewed them with the Board Members. Chairperson Angst closed the regular meeting and opened the public hearing at 7:40 p.m. Hearing no comments, he closed the public hearing and opened the regular meeting for discussion.

There was discussion about the location in the mall and that it really needs a larger sign. In response to a question from Chairperson Angst, Mr. Trifon noted that the sign would be lit but he was not sure whether it would be lit all hours of the day or whether it would be on a timer.

Motion by Board Member McLane, supported by Bandkau, to grant a variance of 16 square feet to allow a 32 square foot secondary wall sign along I-96 for Halo Burger at 8367 W. Grand River. The approval for this variance is based on the practical difficulties submitted by the applicant and attached to these minutes. In addition, the variance does not increase the number of signs or contribute to additional clutter. A roll call vote was taken as follows:

Board Member McLane – Yes
Board Member Bandkau – Yes
Board Member Urbain – Yes
Board Member Conedera – Yes

Board Member Senak - Absent
Board Member Gottschalk - Absent
Board Member Angst - Yes

The motion carried 5-0-2.

6. Staff Updates – Ms. Cyphert informed the Board that she does not have anything on the agenda for March yet but will let everyone know. She will also send the amendments for Fences and Accessory Buildings to everyone for their books.

7. Call to the Public

Chairperson Angst made a Call to the Public at 7:50 p.m. Hearing no response, call to the public was closed.

8. Adjournment

Motion by Board Member Conedera, seconded by McLane, to adjourn the meeting at 7:50 p.m. Motion carried 5-0-2.

Respectfully submitted,

Lauri French, Deputy Director
Community Development, Planning & Zoning
February 14, 2014

Halo Burger
8367 W. Grand River Ave.
Brighton, MI

Criteria for Decision:

Grounds for Variance:

(1) Allowing the signage to only be 50% of the front sign will limit the size in such a manner making it difficult to read on that elevation of the building. We understand the desire to allow signage that is not excessively large – in this, case the signage is not too large, but at a size that is adequate for readability on that elevation of the building which would be viewed by the expressway. As one can see the design is in good taste and not overly done on that elevation fitting the space well and having plenty of area that contains no signage.

(2) Granting this request is not at all detrimental to property owners in the vicinity. We have support of the business owners around us.

(3) This location is located in a spot that would be visible from the expressway. Having a sign that is half its size would make it difficult to read. Most other properties in the city do not face the expressway, but those that do have signage adequate to read. Readability is dependent on size of lettering; the size of the lettering in this request is not contrary to other businesses that face the expressway.

(4) This request follows the general intent of the ordinance which is to allow for signage that is adequate, a smaller sign would not be adequate in that it would not have the readability required to make it effective for identifying the business for that elevation.