

Zoning Board of Appeals
Regular Meeting
Madison Heights, Michigan
November 03, 2022

A Regular Meeting of the Madison Heights Zoning Board of Appeals was called to order by Vice Chair Thompson on November 3, 2022 at 7:30 p.m. at Department of Public Services, 801 Ajax Drive Madison Heights, Michigan.

Present: Vice-Chair Thompson and members: Aaron, Holder, Kehoe, Loranger, Marentette, Barragan (alternate), and Rodgers (alternate)

Absent: L. Corbett, Kimble, and Oglesby

Also Present: Assistant City Attorney Burns, City Planner Lonnerstater, and Clerk of the Board Boucher.

22-25. Excuse Member(s).

Motion by Ms. Holder, seconded by Ms. Marentette, to excuse Ms. L. Corbett, Chair Kimble, and Mr. Oglesby from tonight's meeting.

Yeas: Aaron, Holder, Kehoe, Loranger, Marentette, Barragan, Rodgers, and Thompson

Nays: None

Absent: L. Corbett, Kimble, and Oglesby

Motion Carried.

22-26. Minutes

Motion by Ms. Holder, seconded by Ms. Marentette, to approve the Zoning Board of Appeals Meeting Minutes of August 4, 2022, as amended:

Absent: Kehoe (with notice), L. Corbett, and Oglesby

Yeas: Aaron, Holder, Kehoe, Loranger, Marentette, Barragan, Rodgers, and Thompson

Nays: None

Absent: L. Corbett, Kimble, and Oglesby

Motion Carried.

22-27. PZBA #22-08: 901 W. Whitcomb Ave.

The petitioner, Kevin Lawrence, requests a variance from city sign regulations, Section 10.511(IV)(C)(4) of the Zoning Ordinance, pertaining to maximum wall sign area. The subject property is located at 901 W. Whitcomb Avenue (tax parcel # 44-25-02-328-011) and is zoned M-2, Heavy Industrial.

Vice-Chair Thompson opened the public hearing at 7:34 p.m. to hear comments on application #22-09.

There being no comments on application #22-06, Vice-Chair Thompson closed the public hearing at 7:41 p.m.

City Planner Lonnerstater reviewed the staff report provided in the meeting packet.

The board members and applicant representative Mike Stephens further discussed zoning ordinance on illumination.

REQUEST

The applicant, Emerald Steel Processing, LLC, requests a variance from the maximum wall sign area requirement of Section 10.511(IV)(C)(4). The subject property is located at 901 W. Whitcomb Avenue and is zoned M-2, Heavy Industrial.

Per Section 10.511(IV)(C)(4), M-2 zoned properties are permitted a maximum wall sign area of 1.5 square-feet per each lineal feet of building frontage, not to exceed a total sign area of 100 square-feet. The 100 square-foot maximum area includes wall signs on all sides of the building. An existing 51.5 square-foot metal wall sign is located on the west building façade. The applicant proposes to install one (1) additional 218.5 square-foot illuminated sign on the east façade adjacent to I-75, bringing the total wall sign area to 270 square feet. As such, the applicant requests a total variance of 170 square feet.

SITE PLAN REVIEW COMMITTEE (SPRC) ACTION

The SPRC considered the variance request at their October 12th, 2022 meeting and stated no objections.

MOTION

Motion by Ms. Holder, seconded by Ms. Kehoe, to approve the wall sign area variance request of 170 square feet based upon the following findings: Per Section 10.804(2) of the City's Zoning Ordinance, there is an exceptional condition of the property based upon its proximity to Interstate 75.; and, per Section 10.805 of the City's Zoning Ordinance, granting such a variance resolves a practical difficulty placed upon petitioner and does not create a substantial detriment to the public good nor substantially impair the intent and purpose of the Zoning Ordinance's sign regulations. The variance is being granted with the condition that the applicant coordinate with the City Planner to determine requirements regulating the illumination of the sign with the intent to avoid its lighting being a nuisance to surrounding residential properties, and to ensure compliance with such condition before the sign permit is granted.

Yeas: Aaron, Holder, Kehoe, Loranger, Marentette, Barragan, Rodgers, and Thompson

Nays: None

Absent: L. Corbett, Kimble, and Oglesby

Motion Carried.

22-28. PZBA # 22-09: 26040 Pinehurst Dr.

The petitioner, Firas Hanna, requests a variance from city sign regulations, Section 10.511(IV)(C)(4) of the Zoning Ordinance, pertaining to maximum ground sign height. The subject property is located at 26050 Pinehurst Drive (tax parcel # 44-25-24-251-019) and is zoned M-1, Light Industrial.

Vice-Chair Thompson opened the public hearing at 7:53 p.m. to hear comments on application #22-09.

There being no comments on application #22-06, Vice-Chair Thompson closed the public hearing at 8:08 p.m.

City Planner Lonnerstater reviewed the staff report provided in the meeting packet.

The board members and applicant Firas Hanna further discussed zoning ordinance regulations pertaining to sign size, setbacks, and lighting.

REQUEST

The applicant, Firas Hanna, LLC, requests a variance from the maximum ground sign height requirement of Section 10.511(IV)(C)(4). The subject property is located at 26040 Pinehurst Drive and is zoned M-1, Light Industrial.

Per Section 10.511(IV)(C)(4), M-1-zoned properties are permitted a maximum ground sign height of six (6) feet, measured from the ground to the highest point of the sign. The applicant proposes to remove an existing ground sign and utilize the footings for a new eight (8) foot-tall ground sign. As such, the applicant requests a sign height variance of two (2) feet.

SITE PLAN REVIEW COMMITTEE (SPRC) ACTION

The SPRC discussed the variance request at their October 12th, 2022 meeting. The SPRC did not find practical difficulties related to site conditions and found that alternative sign placement or modification of the parking area could eliminate the need for this variance.

MOTION

Motion by Ms. Holder, seconded by Ms. Rogers, to approve the ground sign height variance request of 2 ft. based upon the following findings: Per Section 10.804(2) of the City's Zoning Ordinance, there is an exceptional condition on the property due to a non-conforming parking lot within the front setback which blocks the view of the sign; and a city easement for a roadway right of way which significantly impacts the frontage of the property; and, per Section 10.805 of the City's Zoning Ordinance, third-party semi-truck traffic on the roadway in front of Petitioner's property as well as vehicles owned by other parties parked within the right-of-way create a practical difficulty upon Petitioner; and granting the variance does not impair the intent and purpose of the Zoning Ordinance's sign regulations.

Yeas: Aaron, Holder, Kehoe, Marentette, Barragan, Rodgers, and Thompson

Nays: Loranger

Absent: L. Corbett, Kimble, and Oglesby

Motion Carried.

22-29. Adjournment

Motion by Ms. Holder, seconded by Councilwoman Aaron, to adjourn the meeting.

Yeas: Aaron, Holder, Kehoe, Loranger, Marentette, Barragan, Rodgers, and Thompson

Nays: None

Absent: L. Corbett, Kimble, and Oglesby

Motion Carried.

There being no further business, Vice-Chair Thompson, adjourned the meeting at 8:18 p.m.

Phommady A. Boucher
Clerk of the Board