

**CHARTER TOWNSHIP OF COMMERCE**  
**\*\*SPECIAL\*\* ZONING BOARD OF APPEALS MEETING**  
*Thursday, August 25, 2016*  
2009 Township Drive  
Commerce Township, Michigan 48390

**CALL TO ORDER:** Rusty Rosman, Chairperson called the meeting to order at 5:00pm.

**ROLL CALL:**Present: Rusty Rosman, Chairperson  
Clarence Mills  
Jorge Pacheco, Secretary  
Bill McKeever  
Robert Mistele, Alternate ZBA Member  
Also Present: Dave Campbell, Planning Director  
Absent: Rick Sovel (excused)

Chairperson Rosman introduced the Members of the Board to those present, as well as Dave Campbell. She reviewed the requirements for receiving either a dimensional variance and/or sign exception from the Zoning Board of Appeals, including the fact that all standards are to be met by the applicant. She assured the applicants present that the sites of the proposed variances have been visited by the members of the Zoning Board. She also explained that if a petitioner's variance request is granted, they will receive their letter of approval by mail. It is imperative that the letter be presented when applying for a building permit. A variance is valid for 365 days from the date of the approval letter. If the variance is used, it runs with the land; however, if it is not used, it expires.

**APPROVAL OF MEETING MINUTES**

Motion by Mills, supported by Mistele, to approve the Zoning Board of Appeals Special Meeting minutes of July 28, 2016, with the following correction: Page 6, Item 2 under approval is conditional upon the following, add the word "new" before "sign".

**MOTION CARRIED UNANIMOUSLY**

**UPDATE OF ACTIVITIES**

None.

**PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA**

None.

**ITEM I: PA16-0007 – COMMERCE TOWN CENTER – PUBLIC HEARING**

4 Tech Signs Inc. of Detroit MI is representing A.F. Jonna Development is requesting an exception from Article 30 of the Commerce Township Zoning Ordinance to construct a monument sign that will encroach into the required front yard setback located at 3050 Union Lake Road. Sidwell No.: 17-12-401-015

**Chairperson Rosman opened the public hearing.**

Austin Armstrong with A.F. Jonna Development, was present to address the request. He explained the reasons for wanting the variance. After Hillers left the other tenants were requesting more signage. He stated they would be removing the existing pole

sign and replacing it with a monument sign that offers multiple tenants signage. The Zoning Ordinance states we have to place the sign 75' from the centerline and that would put the sign into the parking lot, we are asking for a variance to put the sign closer to the road. It would be at the southerly entrance near Dunkin Donuts.

**There were -5- returns and -0- letters.**

**Chairperson Rosman closed the public hearing as there were no additional comments.**

**Board Comments:**

McKeever – Will the existing pole sign be removed?

Dave Campbell – We can make it a condition of approval, the petitioner already said they would be removing it.

McKeever – Any plans to put in a second ground sign?

Dave Campbell – No.

McKeever – There is a tree in that area will they be removing it?

Dave Campbell – a tree comparable to what is being removed should be replaced on site, maybe in the area where the pole sign will be removed.

Mistele – There are more tenants in the plaza than there is space on the ground sign, who will be on the sign and what about the other tenants?

Mr. Armstrong – The larger tenants will have the opportunity to have space on the ground sign.

Mills – Please stake the site sooner should you come before us again.

Mr. Armstrong – No problem, we apologize it wasn't done sooner.

Pacheco – asked for clarification on the centerline of the road and the centerline of the right of way, what will the Board be granting and from what?

Dave Campbell – explained that the Zoning Ordinance states centerline of the road, so your motion would be from the centerline of the road. He explained that the staff report went out prior to receiving the survey, so to clarify, should you approve this request it would be 4.3' from the centerline of the road.

Rosman – They are only allowed one ground sign, why not one on Commerce Road?

Dave Campbell – Commerce Town Center does not have frontage on Commerce Road, the old Hillers parcel is a separate parcel, they are the corner lot on Commerce and Union Lake Roads.

Rosman – Will the sign be illuminated and will you be landscaping around the sign?

Mr. Armstrong – yes to both questions.

Rosman – The wall sign for Kickstand is hard to read from the road. It was the choice of the tenant of Kickstand to pick that color for the sign. The color of the tenant's sign makes it hard to see from the road. Why do we have to fix this because of their poor choice of sign color? It's beige and you can't see it.

Dave Campbell – to Mr. Armstrong, Kickstand is the urgency for this ground sign correct?

Mr. Armstrong – Yes.

**MOTION** by Mills, supported by McKeever, that the Zoning Board of Appeals approves, **with conditions**, Item PA16-0007, the request by 4 Tech Signs Inc. of Detroit MI representing A.F. Jonna Development for an exception from Article 30 of the Commerce Township Zoning Ordinance to construct a monument sign that will encroach into the required front yard setback located at 3050 Union Lake Road. Sidwell No.: 17-12-401-015

Based upon the presentation and comments, the Board believes the applicant – 4 Tech Signs - has satisfied the standards of Section 30.09 of the Commerce Township Zoning Ordinance for granting an exception to the required front yard setback for a freestanding sign along Union Lake Road, and therefore the request is approved for an exception of 4.3 feet relative to the front setback requirement of Section 30.03.F of the Zoning Ordinance.

**Approval is conditional upon the following:**

1. The Plaza's existing non-conforming pole sign along Union Lake Road be removed prior to the installation of the new monument sign.
2. Removal of the tree located in the area where the new sign is to be constructed and to be replaced with a deciduous tree in a location that will be administratively reviewed.

**AYES:** Mills, Pacheco, McKeever, Rosman, Mistele

**NAYES:** None

**ABSENT:** Sovel

**MOTION CARRIED UNANIMOUSLY**

**OTHER MATTERS TO COME BEFORE THE BOARD**

Bill McKeever – The Planning Commission approved the Chabad Jewish Center for a special land use for a parking lot located at 830 Sleeth Road to be combined with their property located at 810 Sleeth Road and recommended a denial for the Clark Gas Station's request for a conditional rezoning.

Dave Campbell – The Clark Gas Station has requested to go before the Township Board at their September 13<sup>th</sup> meeting for a final decision on the conditional rezoning.

Rusty Rosman asked about the ordinance to clarify the size of the address numbers on residential homes.

Dave Campbell stated he would look into it with the Building Official.

**PLANNING DIRECTOR'S REPORT**

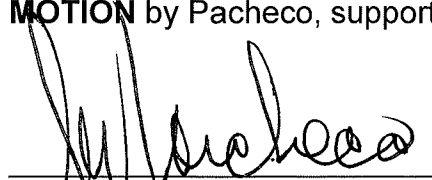
None.

**NEXT REGULAR MEETING DATE: THURSDAY, SEPTEMBER 22, 2016**

**ADJOURNMENT**

**MOTION** by Pacheco, supported by Mills, to adjourn the meeting at 5:20pm.

**MOTION CARRIED UNANIMOUSLY**



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Jorge Pacheco, Secretary