



**CITY OF WALLED LAKE
ZONING BOARD OF APPEALS
MONDAY, JANUARY 30, 2023**

The Meeting was called to order at 7:30 p.m.

ROLL CALL: Arnold, Easter, Gunther, Rundell

ABSENT:

OTHERS PRESENT: City Attorney Vanerian, Planning Commission Liaison Wolfson,
City Planner Ortega

Members attending via Zoom from Walled Lake, Michigan.

REQUESTS FOR AGENDA CHANGES: None

APPROVAL OF MINUTES:

**ZBA 01-01-23 APPROVAL OF THE NOVEMBER 28, 2022 ZONING BOARD OF
APPEALS MEETING MINUTES**

Motion by Rundell, seconded Gunther: CARRIED: To approve the November 28, 2022
Zoning Board of Appeals meeting minutes.

COMMUNICATION: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Public Hearing
Case: 2023-01
Applicant: Eddie O. Hesano
Location: 136 E. Walled Lake Drive
Parcel ID # 17-34-412-016, 17-34-412-015, 17-34-412-014
Request: Non-use Variance

This matter relates to the above-referenced properties. Applicant proposes installing an internally illuminated projecting sign that exceeds eight square feet in area which would require variances from the following sections of the Zoning Ordinance:

- Section 51-20.08.14 d. requires external illumination of exterior business signs in the C-3 zoning district. Applicant proposes installing an internally illuminated exterior business sign on his commercial building located in a C-3 zoning district which requires a variance from the exterior illumination requirement applicable to business signs located in the C-3 zoning district.
- Section 51-20.08.17 a. limits the area of projecting signs in the C-3 zoning district to not more than eight square feet. Applicant proposes installing a projecting sign that exceeds eight square feet on his commercial building located in a C-3 zoning district which requires a variance from the eight square foot area limitation applicable to business signs located in the C-3 zoning district

Open Public Hearing 7:34 p.m.

Applicant Mr. Eddie Hesano explained his sign contractor was not able to attend tonight's meeting so he will be presenting. Mr. Hesano explained he is wanting a new sign. Mr. Hesano explained he is looking to get the same professional use of his sign as other businesses in the district do. Mr. Hesano explained they want signage to be able to advertise to Pontiac Trail and E. Walled Lake Drive. Mr. Hesano explained the new sign is a foot bigger than the original sign that was taken down when he remodeled the store. Mr. Hesano said it will be an internally illuminated sign, nothing else will be lit except for a picture, there will be no shining of light, and no glimmering of light from his sign.

Board Member Arnold asked if the light will be on 24/7 or just when the store is open.

Mr. Hesano said during store hours.

Vice Chairman Gunther asked if the proposed sign is one foot larger in length than the original sign that was there.

Mr. Hesano said yes.

City Planner Ortega explained the existing sign was illegally non-conforming to the current sign ordinances. Planner Ortega explained the ordinances consider a sign projecting, if it exceeds more than 12 inches from the wall. Planner Ortega explained the proposed sign is two feet from the wall and is not mounted to the wall. Planner Ortega also explained projecting signs can only be a maximum of 8 square feet.

Chairman Easter said the proposed sign is an angled sign, it is not hung by a hanger in front of the business. Chairman Easter asked if this sign did not protrude from the building, what would the allowable sign dimension be?

City Planner Ortega said a wall sign is permitted to be two square feet for every linear foot of building frontage so in this instance the allowable maximum sign area would be 64 square feet for a wall sign.

Board Member Rundell asked what is the size of each proposed panel. Board Member Rundell asked if the first sign panel was laid against the wall over the door and the second panel placed on side of the building facing Pontiac Trail, the applicant might meet the sign requirements.

Chairman Easter said the panels are ten ft. (10') by forty inches (40").

Mr. Hesano explained the proposed sign was designed to simulate the old sign and get the same traffic to the site.

Board Member Rundell explained the proposed angle of the new sign, he does not feel it will be seen from Pontiac Trail but placing a wall sign flush with the building along the Pontiac Trail side people would be able to see it.

Mr. Hesano explained his business is next to a condominium complex, residents live there, and he did not feel it would be neighborly to have a sign facing their building.

City Planner Ortega explained wall signs are only permitted to face the road, the sign elevation proposed facing Pontiac Trail is not permitted by ordinance.

Mr. Hesano asked if separating the sign panels with an inch gap would that satisfy the ordinances.

Chairman Easter explained the signs would be two noncontiguous signs but still protruding from the building.

Planning Commission Liaison Mr. Wolfson asked if the main issue was the sign protruding from the building.

City Planner Ortega explained if the applicant changed it to twelve inches versus the proposed twenty-four inches then it would be considered a wall sign. Planner Ortega explained a wall sign is permitted to have a maximum sign area of sixty-four square feet.

Planning Commission Liaison Mr. Wolfson said the twelve inches would meet the criteria then the applicant would need to shrink the size down to meet the sixty-four square foot permitted size.

Vice Chairman Gunther said other business owners have larger signs and they do not protrude from the building, the marijuana dispensary has its walls painted and lit with Christmas lights all year round. Vice Chairman Gunther explained the concept of downtown signage uniformity is old school, it is not in existence even now.

Mr. Hesano said he has improved everything with his building in the front, in the back and inside trying to make things look prettier.

Vice Chairman Gunther explained if the board forces the concept of a flat wall sign, Pontiac Trail users will not see the sign. Vice Chairman Gunther opined that making the applicant conform to a wall sign, will make it hard to attract customers.

Chairman Easter explained some of the businesses in the same vicinity have huge painted wall signs, thirty-foot murals, and illuminated buildings. Chairman Easter explained these businesses are driving traffic. Chairman Easter said the intent of the large painted sign is meant to drive traffic. Chairman Easter explained the applicant's proposed sign is one foot larger than the old sign and will not be hanging down it will be spread across the building façade.

Close Public Hearing 7:55 p.m.

ZBA 01-02-23 MOTION TO APPROVE RESOLUTION 2023-01 A RESOLUTION OF THE ZONING BOARD OF APPEALS OF THE CITY OF WALLED LAKE GRANTING APPLICANT'S REQUEST FOR A VARIANCE FROM THE ZONING ORDINANCE SECTION 51-20.08.17 (A) LIMITING THE AREA OF PROJECTING SIGNS IN THE C-3 ZONING DISTRICT TO NOT MORE THAN EIGHT SQUARE FT. FOR THE REASON THAT APPLICANT DEMONSTRATED A PRACTICAL DIFFICULTY

Motion by Gunther, seconded by Arnold, CARRIED: To approve resolution 2023-01 a resolution of the Zoning Board of Appeals of the City of Walled Lake granting applicant's request for a variance from the zoning ordinance section 51-20.08.17 (a) limiting the area of projecting signs in the C-3 zoning district to not more than eight square ft. for the reason that applicant demonstrated a practical difficulty.

Roll Call Vote

Ayes (4) Gunther, Rundell, Arnold, Easter
Nays (0)
Absent (0)
Abstain (0)

ZBA 01-03-23 MOTION TO APPROVE RESOLUTION 2023-02 A RESOLUTION OF THE ZONING BOARD OF APPEALS OF THE CITY OF WALLED LAKE GRANTING APPLICANT'S REQUEST FOR A VARIANCE FROM THE INTERNAL ILLUMINATION PROHIBITION APPLICABLE TO BUSINESS SIGNS IN THE C-3 ZONING DISTRICT UNDER SECTION 51-20.08.14 (D) OF THE ZONING ORDINANCE FOR THE REASON THAT APPLICANT DEMONSTRATED A PRACTICAL DIFFICULTY

Motion by Gunther, seconded by Arnold, CARRIED: To approve resolution 2023-02 a resolution of the Zoning Board of Appeals of the City of Walled Lake granting applicant's request for a variance from the internal illumination prohibition applicable to business

signs in the C-3 zoning district under section 51-21.08.14 (d) of the zoning ordinance for the reason that applicant demonstrated a practical difficulty.

Roll Call Vote

Ayes (4) Rundell, Arnold, Gunther, Easter
Nays (0)
Absent (0)
Abstain (0)


Vice Chairman Gunther asked for a review of all the sign ordinances.

City Attorney Vanerian said that is forthcoming.

ADJOURNMENT

ZBA 01-04-23 MOTION TO ADJOURN

Motion by Rundell seconded by Gunther, CARRIED, to adjourn the meeting at 8:00 p.m.



Jennifer Stuart
Recording Secretary

approved 2/27/23

Jason Easter
Chairman