



**CITY OF WALLED LAKE
ZONING BOARD OF APPEALS
MONDAY, DECEMBER 17, 2018**

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

ROLL CALL: Ackley, Easter, Gunther, Rundell, O'Rourke

ABSENT: Hecht

OTHERS PRESENT: City Attorney Vanerian, Building Official Wright, Recording Secretary Pesta

REQUESTS FOR AGENDA CHANGES: None

APPROVAL OF MINUTES:

ZBA 12-01-18 APPROVAL OF THE NOVEMBER 26, 2018, ZONING BOARD OF APPEALS MEETING MINUTES

Motion by Rundell, seconded O'Rourke, **CARRIED UNANIMOUSLY:** To approve the November 26, 2018 Zoning Board of Appeals meeting minutes.

COMMUNICATION: None

UNFINISHED BUSINESS:

1. Public Hearing

Open Public Hearing 7:31 p.m.

Case: 2018-04
Applicant: Iven Sharrak
Location: 670 N. Pontiac Trail
Walled Lake, MI 48390
Request: Non-Use Variance

This matter relates to property located at 670 N. Pontiac Trail. This case was tabled July 30, 2018. The applicant is requesting a variance of Article 20 Signs from the Walled Lake Zoning Ordinance to allow:

- Additional wall and canopy signs that exceed the total maximum allowed of 90 square footage for wall signage; and

- Additional signage that exceeds the total maximum signage allowed of 135 square footage on a parcel; and
- LED lighting along the canopy.

The applicant, Mr. Sharrack, said he knows they are way over their limit for the amount of signage that is allowed. He said he wants to stay within the city code. Mr. Sharrack said they did reduce the signs on the lower door, it was 15x32 but now it is 19x9. He said he had to include the goal post sign and the cans on the building that was not on the first application. He said adding those signs on this application increase the signage by 50%. Mr. Sharrack said he is up to suggestions to make it livable and up to code. He said he could go smaller on the valance and even on the lower door, making it smaller than 19x9.

Commissioner O'Rourke asked what is the purpose of having the lower door sign?

Mr. Sharrack said Shell, Mobil, and Speedway is the same. He said he understands that all municipalities are different. He said it is just a standard image. He asked if the biggest concern is what's on the gas dispensers.

Commissioner Ackley asked why the owner wants signage on West Maple since he was already approved for the sign that is on Pontiac Trail. She explained that no other business along Pontiac Trail has signage on the side of their buildings.

Building Official Wright explained the applicant pulled permits for the wall sign that faces Pontiac Trail and permitted for the monument sign or what the applicant is calling the goal post sign on Pontiac Trail. Mr. Wright further explained the applicant is asking for additional signage facing Maple Road and additional signage on the canopies.

Commissioner Ackley said the applicant is going to have to reduce signage before they approve any additional signs. She said the signs on the pumps are over kill.

Commissioner O'Rourke questioned the signage on the pumps. Mr. O'Rourke questioned the signage on the bottom of the doors will be removed but the color on top will remain the same? He clarified the sign on the bottom of the pumps will be removed and the sign on top will stay at 19x9 on both sides.

Chairman Easter said there will be only one sign measuring at 19x9 on each side of the gas pump.

Building Official Wright explained the two different ordinances involved with this case and the variances that are being asked by the applicant. Mr. Wright explained in the city ordinance for signs on a gas pump are considered ancillary. Mr. Wright said in the ordinance those signs are allowed and those signs the commission is talking about were not taken into the calculations when the review letter was written. Mr. Wright said the applicant is at their maximum percentage for signs for the building and the entire site, as a whole.

Commissioner Rundell asked the size of "WOW" sign on the canopy. What is the square footage?

Commissioner Ackley asked how many signs total are there.

Mr. Sharrack said three (3). He said the size is ten (10) feet and the canopy is three (3) feet in width.

Commissioner Rundell asked if the sign on Pontiac Trail was approved.

Building Official Wright explained the Pontiac Trail sign was permitted and approved. He explained the applicant is asking for a variance for the additional sign on the building that would be facing Maple Road. Mr. Wright said the applicant is maxed out on their sign limit on the building and the entire site itself, again there are two ordinances that the applicant is asking a variance for. Mr. Wright said right now the applicant does not have any signs on the canopy. The applicant is asking to put the "WOW" insignia on the canopy plus their additional signage on the building.

Chairman Easter said if we allowed the applicant to bump the canopy out two (2) inches and add the lighting behind it, so it has a glow, the applicant would then add the "WOW" sign on the canopy.

Building Official Wright said he still has to review the lighting on the goal post because right now it is extremely bright. Mr. Wright said when it comes to permitting, he would ask for a photometric study to find out the brightness of the lights.

Commissioner O'Rourke said if the applicant really wants the sign on the building to face Maple Road he has to take down the sign that was approved on Pontiac Trail. Mr. O'Rourke stated the applicant cannot have two signs on the building it has to be one or the other.

Commissioner Gunther said the applicant has to come back to the City with a photometric study.

Building Official Wright said if the commission is asking the applicant to take the legal sign off of Pontiac Trail and move it over to the Maple Roadside that would be a different variance. Mr. Wright explained the applicant is complying with the amount of signage he has but now we are moving a sign that is legal conforming to a side that is non-conforming. Mr. Wright explained right now the applicant is asking for additional signage.

City Attorney Vanerian said the applicant would need a locational variance instead of a square footage variance. Mr. Vanerian said it would be better if it was done all at once instead of piece meal and recommended to table it. He said the applicant can go back to the owner and bring back a different proposal more consistent with what was discussed.

Audience Participation:

Gary Hollander - 620 N Pontiac Trail - said it is already bright at 670 N. Pontiac Trail. He asked the commission to stop and look at the site and make sure it does not become more obnoxious. He said the owner keeps putting the flags up and down. He said his main concern is about the lighting and is in favor of doing a lighting study.

Close Public Hearing 8:09 p.m.

Discussion:

**ZBA 12-02-18 MOTION FOR THE APPLICANT TO PROVIDE ADDITIONAL
INFORMATION ON LOCATION, SIZE OF ALL THE SIGNS AND
TO PROVIDE A LIGHTING STUDY**

Motion by Gunther, seconded O'Rourke, CARRIED UNANIMOUSLY: To have the applicant provide additional information on location, size of all the signs and to provide a lighting study.

**ZBA 12-03-18 MOTION TO TABLE ZBA CASE 2018-04 FOR 670 N. PONTIAC
TRAIL**

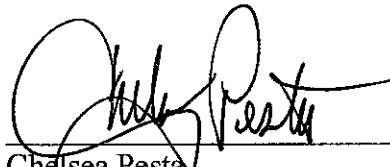
Motion by O'Rourke, seconded Rundell, CARRIED UNANIMOUSLY: To table ZBA Case 2018-04 for 670 N. Pontiac Trail.

NEW BUSINESS: None

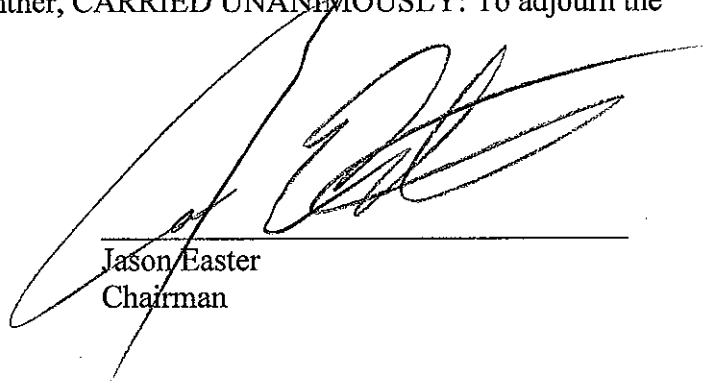
ADJOURNMENT

ZBA 12-04-18 MOTION TO ADJOURN

Motion by Rundell, seconded by Gunther, CARRIED UNANIMOUSLY: To adjourn the meeting at 7:57 p.m.



Chelsea Pesta
Recording Secretary



Jason Easter
Chairman