



**CITY OF WALLED LAKE
ZONING BOARD OF APPEALS
MONDAY, SEPTEMBER 29, 2025**

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

ROLL CALL: Arnold, Easter, Gunther, O'Rourke

ABSENT:

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

REQUESTS FOR AGENDA CHANGES:

City Attorney Vanerian explained that under the Zoning Board of Appeals ordinance, the chairperson shall serve a term not exceeding two years and shall be succeeded by the vice chairperson at which time the board shall elect a new vice chairperson, the vice chairperson steps in for the chairperson after the current chairperson completes a two-year cycle. Chairman Easter added under new business #2.

APPROVAL OF MINUTES:

**ZBA 09-01-25 APPROVAL OF THE AUGUST 25, 2025 ZONING BOARD OF
APPEALS MEETING MINUTES**

Motion by O'Rourke, seconded Gunther: MOTION CARRIED: To approve August 25, 2025 Zoning Board of Appeals meeting minutes.

COMMUNICATION: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

1. Case: 2025-04
Applicant: Gus's Walled Lake Bldg. LLC
Location: 929 N. Pontiac Trail, Parcel ID# 17-342-26-013
Request: Non-use Variance

This matter relates to the above referenced property. Applicant proposes erecting a six foot (6') high freestanding sign in the front yard of the above referenced corner commercial lot within the corner lot clear zone that would require variances from the following sections of the Zoning Ordinance:

- Section 51-21.08 prohibits placement of any structures thirty inches (30") or higher on corner lots within the triangular area formed at the intersection of any street right-of-way lines by a straight line drawn between said right-of-way lines at a distance along each line of twenty-five feet (25') from their point of intersection ("corner clear zone"). Applicant proposes erecting a six-foot (6') high freestanding sign in the front yard of Applicant's above referenced corner commercial lot within the corner clear zone which requires a variance from the corner clear zone requirement.
- Section 51-20.08.6(a) prohibits freestanding signs on commercial lots with principal buildings set back less than forty feet (40') from the front right-of-way line. Applicant proposes erecting a freestanding sign on applicant's above referenced commercial lot improved with a principal structure set back thirty feet (30') from the front right-of-way line which requires a variance from the freestanding sign prohibition applicable to commercial lots with principal structures set back less than forty feet (40') from the front right-of-way line.

Open Public Hearing 7:35 pm

Jeffrey Parsons, representative for the applicant, explained the building is so far from the road, people miss it and then have to do a U-turn to enter. Mr. Parsons says this causes further traffic backups. Mr. Parsons said if a ground sign is placed it will be more noticeable than a flat wall sign.

Chairman Easter explained the current proposal shows the sign five feet off the sidewalk as opposed to the sign being centered on the property. He explained if the sign is in the center of the property it lines up with the building and out of the vision triangle.

Mr. Parsons asked if the board would approve a sign closer to the building. Mr. Parsons said they would accommodate that request if that would grant them approval. Mr. Parsons explained the Enterprise car rental sign may act as a precedent; their sign is even closer.

Chairman Easter said over time sign requirements have been amended which is how the use of the visual triangle was derived.

Mr. Parsons explained the proposed sign does not cause any traffic problems, doesn't hinder anyone's vision, and no line-of-sight hinderances exist.

Board Member O'Rourke asked if the applicant considered a sign perpendicular to road like Dairy Queen or Scores Haircut Studio it would accomplish additional signage and not interfere with line of sight at all. Mr. O'Rourke said he visited the site and walked it, the proposed six foot by five-foot sign absolutely interferes with sightline for residents coming out of the neighborhood.

Vice Chairman Gunther said he agrees with Board Member O'Rourke.

Mr. Parsons said with the speed limit and how far the building is setback, a perpendicular sign would still be missed, you would be upon the sign before you realized what was going on.

Board Member O'Rourke said without question the sign must be shorter, a six-foot sign definitely impedes Spring Park people coming in and out safely.

Chairman Easter said he was at the site as well with a measuring tape reviewing the vision triangle, anything shorter than six feet would be better and would be centered on the property.

Vice Chairman Gunther said the applicant needs to provide revised drawings showing the clear vision triangle, do the math and show the calculations to the board.

Mr. Parsons discussed with the board moving the sign too far back onto the property will prohibit the purpose of the sign.

Board Member O'Rourke said we need to trust that people are using GPS and such to help navigate to the site. He said an additional sign will not solve the problem of missing the building.

Mr. Parsons said he understands the concerns and asked if there is a way a board member can meet on site.

Chairman Easter asked if City Planner Ortega would be available to meet on site.

City Planner Ortega explained if the sign is placed in the center of the front yard, based on his estimations, it does appear it would be outside of the clear vision triangle and therefore would not need a variance. He said the permitted sign height for a sign, a ground monument, or a freestanding sign that is not within a clear vision triangle is permitted to be 6 feet. He said however, noted in the application on page 20 of 38 in the packet, it shows that the sign height appears to be 5 feet in height with a one-foot base and then a four-foot box sign on top of that base, the proposed sign is 5 feet, which is less than what's permitted or required as the maximum height.

Board Member O'Rourke said on page 15 of the packet it shows six feet.

City Planner Ortega and ZBA board members said the applicant needs to clarify what drawings is the correct proposal.

Chairman Easter said no matter the size of sign it needs to be relocated.

Vice Chairman Gunther said if applicant meets with Mr. Ortega he recommends meeting with the neighbors as well.

Mr. Parsons said if after meeting with someone on site, is the approval given then or does he need to come back before the ZBA board for review and approval.

Chairman Easter said yes applicant must come back before the board with any changes.

Board Member Arnold asked for clarification if the sign is out of the vision triangle and stays the same size as indicated on the plan then it is approvable because it is outside the vision triangle.

Chairman Easter explained the size as proposed if moved outside of the vision triangle would be approvable without a variance, however, the second variance request still stands. The second variance from principal structures that are set back less than forty feet from the right-of way line still stands.

Vice Chairman Gunther said the board needs to see drawings with a clear vision triangle and calculations.

Board member O'Rourke opined this property is not designed to have a monument sign on it. Mr. O'Rourke said the board is working with the applicant for potential alternatives.

Vice Chairman Gunther explained there are several pole signs along Pontiac Trail which keep the line-of-sight unobstructed.

Mr. Parsons said he feels looking at a sign at ground level is better.

City Attorney Vanerian explained applicant can revise drawings and resubmit them to the board showing exact location and dimensions before proceeding.

Vice Chairman Gunther said the vision triangle must be included on the revised drawings. He said he is ready to hear from the public.

Chairman Easter said if the sign is centered on the lot it moves it back out of the field of vision and out of the vision triangle.

Vice Chairman Gunther said Pontiac Trail is like a freeway getting in and out of the Spring Park subdivision, the relocated sign may be out of the vision triangle, but it is still a burden to be able to see the vehicles flying down the road.

AUDIENCE PARTICIPATION

Mrs. Johnson, 193 Spring Park – explained clearance of the visual aspect is a big concern for people on Spring Park. Mrs. Johnson explained she did see board members out on site measuring and she appreciates the board members taking the safety concerns this seriously. Mrs. Johnson said the Airline trail has tons of bikers coming down that same sidewalk, so we will not be able to see them as we are trying to get out of Spring Park or coming in. Mrs. Johnson said this area is the same area as Lume's entrance, their entrance is off Spring Park and they do not have an entrance off Pontiac Trail. Lume has the Pontiac Trail access blocked off. Mrs. Johnson said her daughter's bus stop is there and any child that sits at Spring Park waiting for the bus would be blocked by a six foot to five-foot sign. Mrs. Johnson said moving the sign back would be helpful, but a much lower sign is a must; there is a bus stop right there.

Vice Chairman Gunther asked if the bus stops along Pontiac Trail for loading and unloading.

Mrs. Johnson said yes the bus stops on Pontiac Trail.

Mr. Potter, 248 Spring Park – said he is five foot eight, you cannot see him behind a six-foot sign. Mr. Potter said Spring Park residents already share the street entrance and exit with the commercial business Lume. Mr. Potter said this makes it difficult to get on and off the street let alone with a six-foot sign in place.

Chairman Easter asked about Lume's entrances.

Mr. Potter said Lume has a Do Not Enter sign at the Pontiac Trail entrance, so people always use the entrance off Spring Park. Mr. Potter said Spring Park is getting a lot of extended traffic. Mr. Potter said Gus's is a franchise restaurant, it is not a hole in wall or mom and pop shop. Mr. Potter said the current sign is plenty big enough. Mr. Potter's suggestion was a sky sign it does not limit the view of the drivers. He said a six-foot sign is too large especially if it is a smaller car approaching it you cannot see around it.

Board Member O'Rourke said if a sky sign was placed, the lighting would be more visible to the neighbors.

Mr. Potter said the light pollution will not be a problem from a pole sign.

Ms. Tammy from 221 Spring Park – said her concerns are the same as the two previous residents. She said she does not have children that go to school anymore, but there is a lot of foot traffic with people walking the sidewalks. She said they must pull out to and over the sidewalk in order to see if people are flying out of Eagle Pond, they do not stop at the stop sign. She said they pull right out. She said the Enterprise sign already blocks anybody that comes flying out of there. She said they do not stop at all, flying to get onto Pontiac Trail. She said Spring Park residents have to pull out blocking the sidewalk, and then people trying to walk on the sidewalk and give you dirty looks because we can't see. She said and now it is being discussed putting a six-foot sign, obviously you said even bringing it back it still would cause line-of-sight issues. She said each time you put a sign out that blocks the view all the way down Spring Park out to Pontiac Trail. She said residents have to creep out further and further and further and dodge the cars and traffic coming in. They're honking at us because we're just trying to get home or trying to get out and we're getting flipped off and screamed at its unacceptable. Now you're going to add a sign. She said people have a GPS and are not flying by the business because they miss it, they are not doing U-turns to fly back for pizza. When is the consideration for the residents provided and what we have to look at every day, sometimes three, four, five, six times a day when you have kids coming and going, we have to look at it the board members don't, the business owner does not, nobody has to see this except for us and we just keep adding to the litter out on the street. She said Lume doesn't have a sign way out nobody misses Lume. She said she has a lot of concern about the traffic. She said Spring Park residents also have to deal with the semi-truck deliveries for Gus's, they block the road. She said she would like to have the board members visit the site during the day and see the semi-trucks turn around in the cul-de-sac. Our street's not designed for a semi-truck two to three times a day, driving down there to deliver cheese or whatever they're doing, our road is deteriorating. She said it was a nice quiet street way back when, not anymore. The sign is a concern. It's way too big for that little property. Thank you.

Ms. Kelly at 221 Spring Park – said she is always on the go, when pulling into the street, turning right into the street, there are cars that pull out, back up, and take up the left-hand side of the road. She said when turning right into Spring Park from Pontiac Trail you will not be able to see anything but a six-foot sign. She said the parking spaces alongside the businesses are not being utilized correctly, they are not taking up the full space. She said moving the sign back would help with those that are going to be turning right out of Spring Park from Pontiac Trail but just today coming home from work she had to stop on Pontiac Trail to wait for a car that was taking up the entire road to turn the left before she could even pull onto the street praying she was not going to be hit.

Board Member O'Rourke said there is a situation with parking on both sides of the street, visibility is an issue.

Ms. Ethel, 249 Spring Park – said the trees in front of the Maher buildings completely block views all together. She said when people drive into Lume from the entrance on Spring Park, they do not watch at all, nobody listens, someone is going to get killed.

Mr. Potter said Lume needs its own parking lot.

Karen Kolke, 179 Spring Park – said when she first saw the proposed sign, it is right in the line of site, you cannot get out of the street. Ms. Kolke said the telephone pole already obstructs vision; you must creep into the sidewalk area to get out far enough to see. She said if you are trying to get to work you have time to be there, you need to be able to get out of your neighborhood. She said it can take 5 to 10 minutes to get out onto Pontiac Trail. She said if there is a six-foot high sign, she is not sitting in a semi-truck overlooking the sign. Ms. Kolke said the residents of Spring Park are looking for a solution to the

sign request and a solution to their concerns. Ms. Kolke said the sign is a bad idea and thanked the board for listening.

Chairman Easter said he would like a motion to table, so applicant can relocate, resize, and resubmit. He explained essentially as a business, if they wish to approach a new sign, its his right to go ahead and do so. He said as a courtesy the board listens to all the opinions, and everything discussed. He said the two-story building was in the past, this business owner cannot pay for the sins that came before him. He said the board must look at this as a blank state. He said the applicant is willing to come to the table to work this out, meeting on site with City Planner Ortega and the Spring Park representative,

Vice Chairman Gunther said the residents have very good points; they need to be heard.

Mr. Parsons said he appreciates the comments.

Ms. Tammy said most of the residents work and she is not taking a day off from work, we have been told several times the Maher building was going to be one story, and the use of Spring Park would not be required for any kind of traffic, now it is nothing but access to those establishments. The Maher buildings are two stories and Spring Park is the access point.

Mr. Potter said the site has a bus stop there no matter what size the ground sign is, a pole sign is better. We want to be able to see and make sure our kids are safe.

Close Public Hearing 8:35 p.m.

ZBA 09-02-25 MOTION TO TABLE ZBA CASE 2025-04 FOR 929 N. PONTIAC TRAIL TO HAVE MR. PARSONS, CITY PLANNER ORTEGA AND SPRING PARK REPRESENTATIVE MEET ON SITE AND PROVIDE REVISED PLANS TO INCLUDE VISION TRIANGLE WITH DIMENSIONS AND ALL SETBACKS

Motion by O'Rourke, seconded by Gunther: MOTION CARRIED: To table case 2025-04 for 929 N. Pontiac Trail to have Mr. Parsons, City Planner Ortega, and Spring Park representative meet on site and provide revised plans to include vision triangle with dimensions and all setbacks.

Roll Call Vote

Ayes (4) Arnold, Gunther, O'Rourke, Easter
Nays (0)
Absent (0)
Abstain (0)

NEW BUSINESS:

2. Election of Chairman and Vice Chairman

Chairman Easter explained he will need to step down as chairperson of the group and Vice Chairman Gunther becomes the new chairperson. He said the board will need to nominate and vote on a new vice chairman.

City Attorney Vanerian explained per the ordinance, after two years the vice chairperson in as the chairman for the board and then the board elects a new vice chairperson who would then succeed that person for two years. City Attorney Vanerian explained the board does not have select a new vice chairperson now, but he recommends they do it soon. He explained Mr. Gunther does by ordinance step in as chairman because he's currently the vice chairman.

**ZBA 09-03-25 MOTION TO NOMINATE AND ELECT JASON EASTER
AS VICE CHAIRMAN**

Motion by O'Rourke seconded by Gunther, MOTION CARRIED, to nominate and elect Jason Easter as vice chairman.

Roll Call Vote

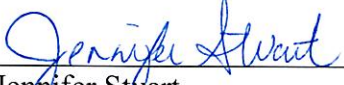
Ayes (3) Gunther, O'Rourke, Arnold
Nays (0)
Absent (0)
Abstain (1) Easter

DISCUSSION

ADJOURNMENT

ZBA 09-04-25 MOTION TO ADJOURN

Motion by Gunther seconded by Arnold, MOTION CARRIED, to adjourn the meeting at 8:58 p.m.



Jennifer Stuart
Recording Secretary

Jason Easter
Chairman

Approved 10/27/25