

ZONING BOARD OF APPEALS

CITY OF LIVONIA

MINUTES OF SPECIAL MEETING HELD TUESDAY, NOVEMBER 30, 2021

A Special Meeting of the Zoning Board of Appeals of the City of Livonia was held on Tuesday, November 30, 2021.

MEMBERS PRESENT: Gregory G. Coppola, Chairman
James Baringhaus, Vice Chairman
Timothy Klisz, Secretary
Joel Turbiak
Michael Testa
Scott Morgan

MEMBERS ABSENT: Christopher Boloven

OTHERS PRESENT: Jim Albus, Inspection Department
Leo Neville, Legal Department
Valerie Bertani, CEO 9489

The meeting was called to order at seven p.m. Chairman Coppola explained the Rules of Procedure to those interested parties. Each petitioner must give their name and address and declare hardship for appeal. Appeals of the Zoning Board's decisions are made to the Wayne County Circuit Court. The Vice Chairman advised the audience that appeals can be filed within 21 days of the date tonight's minutes are approved. The decision of the Zoning Board shall become final within five (5) calendar days following the hearing and the applicant shall be mailed a copy of the decision. There are four decisions the Board can make: to deny, to grant, to grant as modified by the Board, or to table for further information. Each petitioner may ask to be heard by a full seven (7) member Board. Five (5) members were present. No one chose to be rescheduled. Secretary then read the Agenda and Legal Notice to each appeal, and each petitioner indicated their presence. Appeals came up for hearing after due legal notice was given to all interested parties within 300 feet, petitioners, and City Departments. There were eight (8) people present in the audience.

(7:00)

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APPEAL CASE NO. 2021-10-42 (Tabled on October 12, 2021): An appeal has been made to the Zoning Board of Appeals by Community Choice Credit Union, 15420 Farmington, Livonia, MI 48154, seeking to erect a ground and wall signs resulting in excess number of wall signs and excess ground sign height.

Number of Wall Signs:

Allowed: One
Proposed: Two
Excess: One

Ground Sign Height:

Allowed: 6.0 feet
Proposed: 7.3 feet
Excess: 1.3 feet

The property is located on the east side of Farmington (15420), between Roycroft and Five Mile, Lot. No. 059-01-0008-001, C-1 Zoning District. Rejected by the Inspection Department under Livonia Vision 21 Ordinance, Section 11.08(2), "Sign Regulations for C-1 Districts."

Coppola: Alright.

Testa: Mr. Chair.

Coppola: Mr. Testa.

Testa: Move to remove--move to remove from the table, case number 2021-10-42.

Turbiak: Support.

Coppola: I have a motion by Mr. Testa, support by Mr. Turbiak to remove from the table. All in favor?

Board: Aye.

Coppola: Okay. So, Mr. Albus, anything you have to add--Albus?

Albus: Nothing more than you already have in your packet.

Coppola: Perfect. Any questions for Mr. Albus? Seeing none if the petitioners could step forward. I'll need a name and address first if you would please for the record.

Ludwigsen: Jenny Ludwigsen. I'm representing 15420 Farmington Road.

Wilson: I'm Brian Wilson. I'm also representing the same address, but I'm also a Livonia resident. Would it be preferred that I give that address as well or just the business address?

Coppola: Which ever you feel comfortable with.

Wilson: 28979 Morlock Street, Livonia, Michigan, 48152.

Coppola: Okay.

Unknow: You guys can sit down.

Wilson: Oh, thank you.

Ludwigsen: Okay.

Coppola: So, I note that you've made some changes to your petition which I really appreciate. Why don't you go ahead and just give us like a summary of what you've done?

Ludwigsen: Sure. So, we--we did the monument sign in that vertical format which does exceed the height and we removed the letter "C" from the far end of the building near the ATMs per the request or at the direction of the Board.

Coppola: Okay.

Ludwigsen: That leaves the name on the back of the building which if you're facing or heading North you can see and then we did keep the "C" on the side of the building and if you're making that Michigan left there to start heading North, you would see that on the side of the building facing Farmington Road.

Coppola: Okay. Thank you very much. Questions for the petitioner?

Testa: Mr. Chair.

Coppola: Mr. Testa.

Testa: Sorry. Thank you. Can you please explain what you have today versus what you're proposing just to make sure I'm clear?

Ludwigsen: Sure. So, what we have today is a monument sign. It's low to the ground. It doesn't have cabinet lighting. It has a foot light--an external light that lights it. It's hard to see. We can cover all that. On the back of the building heading North, we do have our name there today, so this is a replacement, however the lettering that's there today is not lit. These channel letters would be lit and then the addition is the "C" on the side of the building.

Wilson: And I think the monument sign as you're driving on Farmington Road, it's more of a horizontal sign with the wording spread out and what we're requesting is to replace that horizontal sign with the single logo being the marquee rather than having the monument that spells it. So, same--same location, same sign, just instead of being wide, it's gonna be a little taller. And the other--the building sign is just a one for one

replacement. The only add would be the logo that would be facing Farmington Road so it's visible for those who are making a turn-a-bout.

Testa: Okay. Can you explain maybe the need of why that's necessary versus what you have today? Have you had complaints? Have you had situations where people couldn't find the building? Why is the additional--why are you requesting that additional sign?

Ludwigsen: Sure. So, one of the reasons that we're requesting the additional sign on the side of the building is to make that side of the building identifiable. The monument sign is at the corner. If you're making that turn, you don't know what that building is. I think our address is on the side of the building but there's no identifying signage there. On the back of the building, we think it's important for it to stay there because as you're heading North, again, that is an actual main part of the building and it wouldn't have any signage. So, just taking the "C" which is on the back of the building today and moving it to the side.

Testa: Okay and when you mention turn a round, what turn would people--

Wilson: Yeah, when you're heading South--

Testa: Okay.

Wilson: --coming down Farmington Road and just right by the funeral home you would be turning head North. But if you're looking to the left, if you're headed down Farmington Road--heading South on Farmington Road and you look to the left, there's nothing visible on the side of the building. It's non descriptive on that side of the building. The sign we have currently if you're heading North, we're just replacing that sign with an upgraded version, so, that--that's already there and we appreciate having that there. It's more for the Southbound heading that would be making the turn and turning head North.

Testa: Okay. Thank you. And for the Southbound driver--

Wilson: Mmhmm.

Testa: --why isn't the monument sign enough?

Wilson: You know what--and that's an excellent point. It could be if it was more of a vertical sign rather than more of a horizontal with the words spelled out. And so, I think that certainty that would be option if it would be.

Testa: Okay.

Ludwigsen: You're already past--once you see the sign you're already past the driveway. Knowing that that's the building we can--and you have to cross three lanes of traffic when you're making that left turn. You have to get over very quickly to be able to pull into the driveway on the right-hand side of the road.

Testa: Thank you, Mr. Chair.

Coppola: Other questions?

Baringhaus: Mr. Chairman.

Coppola: Vice Chair Baringhaus.

Baringhaus: Yeah, in terms of the proposed logo sign on the building and the proposed monument sign, it's my understand both are illuminated.

Ludwigsen: Yes, that's correct.

Baringhaus: Correct. Okay. Was there any thought given to the fact that the monument sign--you know--it will close to Roycroft, light impacting the local neighborhood. Was that reviewed and considered when you were designing the sign?

Ludwigsen: It is actually. So, one of the changes that we made when we went to the new branding with pulling that "C" out and making that a feature of the logo rather than baked into the "C" of community, we--in our cabinet design for our monument signs the--instead of using the panels being lit, the "C" is actually a push through so the "C" is lit and the Community Choice is lit. The actual background of the panel, which I think you can see is kind of champagne color, which I think it translates more into a silver, but the lighting doesn't come through on that panel. It's just the "C," and it's a really soft lighting. I don't know that there's a picture in the packet that shows kind of the night version of that, but it's not--it's not a full lit background, if that makes sense.

Baringhaus: Full lit back panel. So, essentially the "C" is illuminated, the logo.

Ludwigsen: And the Community Choice Credit Union.

Baringhaus: Community is illuminated as well. Okay, great. Okay, will those signs be on timers? In other words, will they be illuminated all night or just for certain hours? Have you explored that?

Ludwigsen: Yeah, we actually do have our other locations on a timer. We don't have a timer set today at Livonia because we have that foot light--you know--but certainly something that we could take into consideration and have it shut off at 11:30 or 12:00 I think is what we have our other locations on.

Baringhaus: Okay, great. Thank you.

Ludwigsen: You're welcome.

Coppola: Any other questions?

Turbiak: Mr. Chair.

Coppola: Mr. Turbiak.

Turbiak: Yes. To the petitioners, going back to Mr. Testa's line of questioning about the sign on the West elevation. You mentioned that it would be mostly for vehicles or potential customers driving Southbound on Farmington and then making a turn around and the question was raised about the monument sign being enough. I guess I'm not seeing--help me understand why the sign is needed on that side of the building because if you're coming Southbound and you're gonna be turning that way, you're probably going to the Community Choice Credit Union and so you're going to see--you will have already seen the monument sign at Roycroft. In addition, as you're coming down Farmington, even if you were--let's say there was no monument sign and you just had the one of on the West elevation, you wouldn't be able to see it until you're in the turn around. So, it's not gonna help drivers--it's not gonna help direct drivers to know that that's your building. They're already gonna be making the turn around by the time that they see that sign.

Ludwigsen: Yeah, and I can't estimate the footage. Brian, I don't know if you could--it's very--it's--you have to cross three lanes of traffic right at that turn around to make that right turn into the lot. So, even if you miss the monument sign and you make that left turn heading North, if there are any cars coming--I--I don't--it's a really tight cross over to get into that far right lane.

Wilson: You--you know what and certainly we appreciate the role of the Board and we--and as you see we've made some adjustments at the recommendation of the Board, and this would be another situation where we're providing different options and looking for your guidance on those options. With the current monument sign, Southbound traffic, it's very difficult for them to see because it's low to the ground and it's all spelled out and that makes the necessity for something more prominent on the West side of the building. With a more prominent monument sign that had the ability to be lit, I would agree with you that the necessity of this ability on the South side would--wouldn't be as significant because Southbound traffic would be able to see that higher monument sign.

Turbiak: Okay, thanks. I wanna switch around kind of the other direction for drivers heading Northbound. I'm looking at a image here on google maps and I drive this stretch quite often and so I'm very familiar, and once this case started coming up I really--it just sticks out that you have a pine tree on the South side of the building--you know--South of your driveway that's just South of your building. Do you know what tree I'm talking about and have you guys considered anything about how that tree seems to block the existing sign that's on the building?

Ludwigsen: There will be some tree trimming and removal. I don't know that specific tree but--

Turbiak: Okay.

Ludwigsen: --that's something that we recognize in all of our locations that there's--we--we need to take some limbs out for sure.

Turbiak: Okay, yeah, I don't know, I mean, I don't know if you can see it from there, it's--

Wilson: Oh, for sure. Yeah, yeah.

Turbiak: --kind of pine tree. It's not really--limbs are gonna help, you kind of have to just chop the top off.

Ludwigsen: Right.

Wilson: Right.

Turbiak: I don't think that's gonna look too good for an Evergreen-type tree.

Ludwigsen: I--

Wilson: Right. And that's always the push pull, is to create an aesthetically pleasing landscape, but also to have that in harmony with people knowing where it is they're trying to go.

Turbiak: The recognition versus the environment.

Wilson: Absolutely. Trying to find that balance is always a delicate challenge, but that's an excellent example of where the pendulum swung a little too--too far towards forestry.

Turbiak: Yeah, well maybe when it was planted it was not an issue, so overtime--you know. Okay, that's all the questions I have at this time. Thank you.

Wilson: Thank you.

Coppola: Anything else?

Testa: Mr. Chair, sorry.

Coppola: Mr. Testa.

Testa: So, last meeting Mr. Turbiak asked about the ATMs and that there's vinyl--I assume vinyl wrap on there with the "C" logo. It's very visible from the street. I think we talked to the inspection department last time that those technically would count as signage if they're oriented towards the street. They're kind of on an angle. Mr. Albus, could we get maybe a better definition of whether or not the wrapped ATM would count as signage already?

Albus: I would have to go ask our plan reviewers. I'm not--was Matt the one that did the last meeting?

Testa: I'm looking.

Albus: I believe he was the one who did the plan review also.

Testa: Yeah, I was just looking at the meeting minutes, it was Frank. Mr. Hershey.

Albus: Frank Hershey. Okay.

Testa: Actually, it was Mike, sorry to cut you off. I think it was Mr. Fisher who gave some guidance that if it's generally oriented towards the street it would count towards signage. So, it's kind of on an angle, not directly facing Farmington and not directly facing Roycroft, but it's very visible from Roycroft.

Albus: It could be interpreted from the ordinance as signage, yeah.

Ludwigsen: It's the side of the--it's not the front facing unit of the ATM, it's actually the end of the ATM--

Testa: Correct.

Ludwigsen: --and there's a "C" but it does not say Community Choice. So, I wanted to ask for clarification too on what constitutes signage and if it's an icon without a name, is that the same as--how do we define that.

Neville: Icons or logos constitute signage. So, you have your "C" on the side of the building--

Ludwigsen: Okay.

Neville: --anything else, like I said a trademark or any other kind of essentially picture, or--you know--it's a very broad term.

Ludwigsen: So, even if we--

Neville: So, if the "C" would constitute signage.

Ludwigsen: So, if we were even to do a graphic treatment without using anything that's our "C" or our Community Choice name--

Neville: And you put it on the wall? Yeah, that's a sign.

Ludwigsen: Well, on the ATM--

Coppola: They're talking about the ATM--

Ludwigsen: Well, it would go onto the ATMS.

Coppola: --taking the logo off and just using--you know--a design. I don't think a design on it is considered signage because you're not--

Neville: No.

Ludwigsen: It'd be like (inaudible)

Coppola: --conveying--you're not conveying a message, whatever that message may be. So, that's just a design.

Neville: What do you have there now? It just says cash or ATM?

Ludwigsen: It's--it's teal and on the side that kind of faces that angle it's just the "C" of Community Choice.

Neville: Okay.

Coppola: I don't know if there's also a special ordinance for ATMs, but most ATMs have some level of emblem on them. That one might be a little extreme, but it actually is not that bad looking compared to some that we see.

Wilson: Those are separated from the building by quite a bit, so it's not--it's not--it's--I'm not sure how the lot alignment is, but it's just--well, I know the area well--

Coppola: Right.

Wilson: --but it's separate from the building to a significant--to a significant degree. So, I appreciate the dialog. Really what we're--you know--our concern is the visibility for the Farmington Road traffic. If--and that's really what we're--what we're concerned on, but most--most ATMs are gonna have some type of identifier on them. It's not necessarily intended to be a marketing signage beyond an identifier that this is an ATM that belongs to Community Choice.

Neville: Mr. Chair.

Coppola: Mr. Neville.

Neville: If I might, our ordinance--and this is actually under Vision 2.02 paren 3, and there's a host of definition--a sign is a name, identification, description, display, light, balloon, flag, pennant, streamer, banner, illustration, letter, numeral, work, model, logo, trademark, representation or device of any kind whatsoever which is affixed to, painted, otherwise located or set upon or in a building, structure, or piece of land in which directs

attention to an object, product, place, activity, persons, institution, organization or business and which is visible from any streets, sidewalks, alley, (inaudible), so, I mean, you can see it's a very, very, very broad definition that's applied under our zoning ordinance at least in perspective what constitutes a sign.

Testa: Okay. Yeah, Mr. Chair. So, the--back to--to further expand on the ATMs, it looks like your ATMs moved. They used to be attached to the building. Is that correct? It doesn't--it looks from an old Google map.

Wilson: Not--Not--it may have predated me. I joined Community Choice in 2018 and that was--

Coppola: They've been out there for a while.

Testa: Okay.

Wilson: So, I--

Coppola: Not sure how--maybe ten years.

Wilson: It may have.

Coppola: I mean, it's not forever. I think there was--I think you had to walk up. I think it was a walk up before.

Testa: Yeah, it looks like it used to be attached to the building at one point.

Coppola: Yeah.

Testa: So, yeah, my point on the ATMs, I totally see why you have some type of identifier on there. The "C" is rather large. It's a big green logo--I'm sorry, green vinyl with the white "C" and it's fairly obvious that it's there and you also have a lot of directional signage already on the property, so, maybe my point is, there's already a lot of signage there, maybe, I'm not sure that maybe this petition is written correctly for--accurately for what you're asking for. Even though it's already existing, I'm not sure if you have approval for it to be there.

Coppola: So, you're questioning whether there's a number of directional signs on the property that they should require--require special zoning permission. I--I don't think so.

Testa: Yeah, maybe just focus on the ATMs.

Coppola: Yeah.

Testa: Count that as signage. So, that would be three additional signs because there's three ATMs, correct?

Wilson: I think so.

Albus: Four lane.

Coppola: They're pretty far from the road--the main road, a little closer to the side road.

Testa: Yeah, they're close to Roycroft.

Coppola: And they do--they're on an angle so they're not--you know--facing per say either of those--those roads. I think when you get to a lot of--they're doing these separate ATMs, they're not attached to the building in any shape or form, they'll all have some sort of design to them. I see what you're--I see your issue but I personally don't see it as that big of an issue from my perspective. I think we've--I think in general, I mean, the sign ordinance is pretty broad, which allows us the latitude to when things get obnoxious then we can address them but in this case. I don't think that's the issue per say at least in regards to the ATMs.

Baringhaus: Mr. Chairman.

Coppola: Vice Chair Baringhaus.

Baringhaus: Yeah, I agree. I mean, I saw the ATMs today. They're quite a distance from Farmington and they are angled almost like at a 45-degree angle, so it's sort of mid-point between Farmington and Roycroft, I mean, as Mr. Neville pointed out, the definition is pretty broad for signage. I--I kind of viewed that as maybe decorum--you know--where it--you know--accents the building to a degree or ties into the design of the building. I mean, how far do you wanna take it? Are we gonna count logos on McDonald's cups as signage? I mean--you know--you gotta draw a line somewhere so I think--I really--in my opinion I really didn't view it as signage. I viewed it more as a--as a design feature that kind of tied the look of the ATMs into the overall like maybe corporate colors of your credit union.

Coppola: And I agree. Again, if it had Community Choice emblazoned all over it, that would be I think a different story. And at that point we would probably--

Baringhaus: Take a closer look at it.

Coppola: Look--yeah, look to--to apply the zoning ordinance to it and adjust that appropriately, but I think it's done--at this point tasteless, again, it's a wrap, you could change it tomorrow and we could apply the zoning tomorrow. So, it's just a--I think it--right now it's relatively tasteful. It's not overbearing and appreciate that you've done that and hopefully that you'll keep it that way and we won't need to have to do anything. So, any other questions in regards to the petition? Mr. Morgan.

Morgan: Yes. The "C" logo that you plan on adding to the front on the West side of the building facing Farmington, is there going to be any illumination. I can't remember if we discussed this previously or not.

Ludwigsen: It will be lit.

Morgan: It will be lit. And is it a light--I mean, as far as it--like you described the front sign, is the light kind of soft and--or is it like LED?

Ludwigsen: No, no, right. It's not. The cabinet lighting is a little bit different on the monument sign. I think I mentioned it's that push through, but all of the colors are exactly the same. So, we are really mindful of our neighbors. All of our locations are within communities that all have sign ordinances, and they reason that we're coming to you with our request today or back in October was that we are updating all 22 of our locations to our new signage package which includes this stand alone "C", new monument signs in front of all of our locations and then some version of our name onto the building. So, they're all--they're all--you know--subject to other ordinances as well and we're really mindful that as you said--you know--our signs are tasteful and that we're not a disruption to the community.

Morgan: Thank you.

Coppola: Just a quick question. The monument sign, is that your standard design that'll be in front of all?

Ludwigsen: So, every--of course every township and--

Coppola: (Inaudible)

Ludwigsen: --city is a little bit different. This is the exact same footprint for the cabinet sign or monument sign as our Redford location. In our Jackson market, we have much larger signs that are on poles. Those will be replaced--you know--according to those signs but this is the--there are two versions of a monument sign. This upright one and then a more horizontal version.

Coppola: Okay. Anything else? Alright, seeing none, is there anyone in the audience that would like to speak for or against this? Does not appear to be. Do we have any correspondence, Mr. Secretary?

Klisz: No letters.

Coppola: Alright, would you like to make a final statement before we close the public portion and take our vote?

Ludwigsen: No. I do have some really nice statistics. Not to--not to help with this but certainly I think just nice information to share about the Livonia community. I don't know if you're aware, but Community Choice does have a foundation that has provided 1.3 million since 2009 in scholarships. Livonia students have received 155,000 of those dollars to pursue post-secondary education. 400 families in the last two years in Livonia have received our filled backpacks to help students go back to school and in 2020 we

actually implemented a lunch money payoff--or a lunch account payoff program that benefitted 258 Livonia families where we paid the public schools here to wipe those accounts clean, giving those students and their families a fresh start for fall in 2021. We are an annual sponsor of the Livonia Spree and the corn roast, and over the last year, 148 of our employees at Community Choice have volunteered 347 hours here in Livonia through various charities and initiatives.

Coppola: Okay, thank you. And thanks for your support of the community. I appreciate that. Alright, I'm gonna close the public portion of the case and start the Board's comments with Mr. Testa.

Testa: Thank you, Mr. Chair. Yeah, thank you for your support of the community. I'm glad you added that comment at the end. Especially, the lunch forgiveness program that you had a few years ago. I do appreciate that. Specific to this case, I am in support of the change for the monument. I do agree with what you're trying to accomplish there. I like what you've depicted. I can also be in support of changing out your South elevation to a more simple logo. Getting rid of the Community First and changing it to the "C" logo. I am very iffy on the additional sign added to I believe what you're calling a West elevation. So, I'd like to hear other comments from Board members. I could probably be swayed either way. Thank you.

Coppola: Alright, thank you. Mr. Turbiak.

Turbiak: Thank you, Mr. Chair. Yeah, I appreciate all the investment that you've done in the community and also the sign package that you've presented, I appreciate that it's gonna look better and work better for you guys. I appreciate that you took the--into account the feedback that the Board gave last time, however, I'm still not convinced that the sign on the West elevation fits--you know--(inaudible) in the environment and especially since it doesn't seem to direct customers to the location, I think the South sign update is very similar to the existing South elevation and then namely the update to the monument sign at the corner of Farmington and Roycroft is really gonna help you guys out with directing customers to you and making it more noticeable, more recognizable to the community without becoming--you know--too--too in the face--you know--to the community. I think that'll be the right balance, so, I would be in support of approving in part--you know--just basically as you presented but without the West elevation.

Coppola: Alright, thank you. Secretary Klisz.

Klisz: I appreciate you coming back and changing up the plan. I remember last time being--I think it was kind of universal that the extra one that you wanted was superfluous, so that one being gone, I'm not happy with this. It's a unique piece of property. It's a unique area. It's very busy in there and I guess I just don't see--seems like we've given--you know--an extra sign to businesses like yours in the past. I can't think of any right off the top of my head, but I don't think it's outrageous or too much as it goes and essentially that's really the only extra ask that you have is that additional "C" logo sign. So, based on that I will be in support as presented today.

Coppola: Alright, thank you. Mr. Morgan.

Morgan: You know what, I--the monument sign I think is fine. I think that'll look good. That'll be a nice addition. That other sign has been there for quite some time and I can understand that you wanna change your logo. The sign that you're going to illuminate on the South side of the building for Northbound traffic, that I do not believe it was illuminated before and now it's going to be illuminated, I think that definitely is sufficient to attract business, daytime and nighttime. The issue I have with this "C" is on the front, the West side of the building, is it's very begging. It's very large. It's--very few people are going to see that over that monument sign. I'm just hoping that this is done tactfully and the illumination on that is very light, so it's not attracted or having any distraction from drivers when they pass that. But you have made the effort to come back here, and you removed a sign--the extra sign that I didn't feel was appropriate. It was just way too much signage. So, I am gonna be in favor of this at this point.

Coppola: Alright, thank you.

Baringhaus: Thank you. First of all, thank you for taking our advice and considering our recommendations on reducing the number of wall signs which you did. In terms of the package itself, my opinion pretty much follows Mr. Klisz' opinion. I think your location has some definite visibility issues especially from the South as well. I think the number of wall signs is appropriate. I think your biggest challenge was with your current monument sign. Architecturally interesting but nobody looked at it.

Ludwigsen: Not functional.

Wilson: (Inaudible)

Baringhaus: And I think, at least from my opinion, when I was making a turn into your property, I was looking at your building and you have one unique thing, you don't have any identification on the front of that building. So, it's there. And I think the logo on the building will assist on drawing people's attention to the building in addition to the wall sign which will benefit you at night. I like the idea of how you're managing the illumination of both the logo on the wall and the wall sign, just illuminated selected areas, not the full sign, so, it would be brighter. And then also I would recommend putting it on a timer like your other locations going forward. So, based on that, I'll support the variance.

Coppola: Alright, thank you. I too am in support. First of all, thank you for all you do in Livonia. Appreciate you guys have been and your predecessors have been in Livonia a very, very, very long time, and always been very supportive of the community. I also appreciate that you listen to the Board and came back with a little more modest approach here. I do understand some of the Board members' concern with the West facing sign, but we have allowed--and relatively recently, probably over the last couple of years I can recall, there's been several new bank buildings we've allowed extra signage on those buildings, and they've had similar--you know--unique features to their building, whether it was placement or surroundings or such. The "C" on the West side--you know--from my

perspective, I think it will be nice visibility. I don't think it provides--I don't think it provides anybody traveling a notice that that's the building, I too think it will--it will look--I think everything you've done is tasteful. I think it will look nice. I think your plans on the lighting and such all make sense. So, I'll be in support. So, I'll go ahead and open up the floor for a motion.

Upon motion by: Baringhaus. Supported by: Klisz.

RESOLVED: APPEAL CASE NO. 2021-10-42 (Tabled on October 12, 2021): An appeal has been made to the Zoning Board of Appeals by Community Choice Credit Union, 15420 Farmington, Livonia, MI 48154, seeking to erect a ground and wall signs resulting in excess number of wall signs and excess ground sign height.

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Proposed: 7.3 feet
Excess: 1.3 feet

The property is located on the east side of Farmington (15420), between Roycroft and Five Mile, Lot. No. 059-01-0008-001, C-1 Zoning District. Rejected by the Inspection Department under Livonia Vision 21 Ordinance, Section 11.08(2), "Sign Regulations for C-1 Districts," **be granted for the following reasons and findings of fact:**

1. The uniqueness requirement is met because of the orientation of building and the visibility issues especially to southbound traffic.
2. Denial of the variance would have severe consequences for the petitioner due to the customer's ability to locate building and then having to turn around.
3. The variance is fair in light of its effect on neighboring properties and is in the spirit of the zoning ordinance because of general neighborhood and business acceptance.
4. The granting of this variance will not adversely affect the purpose or objective of the Master Plan because this property is classified as "City Center" under the Master Plan and the proposed variance is not inconsistent with that classification.

FURTHER, the variance be granted with the following conditions:

1. That a timer be installed to turn the exterior sign lighting off at 11:00 p.m. similar to the timers used at the Petitioner's other branch locations.
2. That everything be built as presented.

Coppola: I have two comments. One on the timer, because it does kind of face a residential area, I'd like it to be so that it turns off at 11.

Baringhaus: 11:00? Okay, that's good.

Coppola: Because it does--again I think the lighting will be, but this way at least it's off at 11:00. I assume your ATMs still got lighting so they can find that. But--and then the other thing is just to be specific it's everything's gotta be built as presented.

Baringhaus: Okay, that's fine.

ROLL CALL VOTE:

AYES: Testa, Morgan, Klisz, Baringhaus, Coppola

NAYS: Turbiak

ABSENT: Boloven

Klisz: Passes 5-1.

Coppola: So, you've got your variance as you've petitioned it this time with the conditions of to have a timer that turns off at 11:00 because you are facing a residential area. I think that would be nice. And then that it's to be constructed or built and placed as presented.

Ludwigsen: Thanks. Is there a timing? I think as we get into winter, I'm not sure that the fabrication and the installation will be able to happen. Do we have a time limit to install?

Coppola: We had not put a time limit on it.

Ludwigsen: Okay.

Coppola: So, you're permitted to do that at any time. We could put a time limit on it, but we've already voted. But, no, so if you were gonna do it in the spring that's fine.

Ludwigsen: Okay.

Coppola: You have a reasonable amount of time to put that in.

Ludwigsen: Thank you.

Coppola: Alright.

Baringhaus: Okay, thank you.

Wilson: Thank you.

APPEAL CASE NO. 2021-11-44: An appeal has been made to the Zoning Board of Appeals by Nu-Vue Livonia, LLC (Rafi Rayes), 14300 Michigan Avenue, Dearborn, MI 48126, seeking to erect a ground sign, resulting in deficient sign setback, excess height, area and an electronic message center, which is not allowed on non-conforming ground signs and the area of the message center. The existing ground sign is to be removed.

Ground Sign Setback:

Required: 10 feet
Proposed: 3 feet
Deficient: 7 feet

Sign Height:

Allowed: 6 feet
Proposed: 10 feet
Excess: 4 feet

Ground Sign Area:

Allowed: 30 sq. feet
Proposed: 80 sq. feet
Excess: 50 sq. feet

Electronic Message Center Board Area:

Allowed: 15 sq. feet
Proposed: 30 sq. feet
Excess: 15 sq. feet

The property is located on the west side of Farmington (16975), between Bloomfield and Six Mile, Lot. No. 061-02-0177-004, C-1 Zoning District. Rejected by the Inspection Department under Livonia Vision 21 Ordinance, Section 11.08(2), "Sign Regulations for C-1 Districts," and Section 11.10(2), "Sign Illumination; Standards."

Coppola: Alright, thank you. Mr. Albus, anything to add?

Albus: Nothing at this time.

Coppola: Alright, thank you. Anything for the inspection department? Alright, seeing none if you can give us your name and address first.

Rayes: My name's Rafi Rayes. I'm presenting Nue-Vue Livonia at 16975 Farmington.

Coppola: Okay. You can have a seat. Thank you. So, why don't you tell us about your petition here. What--specifically what you're trying to--trying to achieve. I'd like to understand what the--what the--what's your practical difficulty.

Rayes: So, we have two problems with the monument--current monument sign, is the size and how far is it from the main--Farmington Road. Right now, it's about 40--40 feet away from Farmington Road and it's very hard to notice the sign. The problem is that the buildings are siting on one acre and rectangular shape and it's--the buildings are really farm from the main road, so it's really hard to notice any wall signs. Without having a bigger sign, it's gonna be hard to notice businesses. And also, it's too small to list all the businesses so people can read it.

Coppola: How many businesses do you have in there now?

Rayes: Well, seven addresses. There's one--only one--actually one tenant that is occupying two addresses. But it's been vacant for a while.

Coppola: So, there's seven units?

Rayes: Yes.

Coppola: Okay. And one has two units?

Rayes: For now, yes.

Coppola: Okay. And what are you--the LED lighting is--what are you planning on putting--what's gonna be showing on the LED lighting?

Rayes: Mostly--it's a medical building, so mostly about services and for the tenants.

Coppola: Okay. And what's your tenant right now that's in there?

Rayes: I'm sorry.

Coppola: What's your tenant that's in there today?

Rayes: Dentist. Livonia Smile.

Coppola: Questions for the petitioner?

Baringhaus: Mr. Chairman.

Coppola: Vice Chair Baringhaus.

Baringhaus: Your current sign is what, 24 square feet?

Rayes: 24.

Baringhaus: And you're proposing to go to 80 square feet?

Rayes: 80.

Baringhaus: Okay.

Rayes: Part of is gonna be the electronic message board.

Baringhaus: Yeah, can you tell me what the--what you plan--what your plans are for the electronic message board? What kind of content you're gonna display?

Rayes: Well, as I mentioned, it's mostly about the medical services occupying those spaces; product services, promotions, all kinds of stuff for (inaudible) business.

Baringhaus: Have you considered relocating the sign?

Rayes: Relocating the sign?

Baringhaus: Yes. Right now, maybe in its present location--I mean, do you think it's workable?

Rayes: Well, it's right in the middle of the parking lot.

Baringhaus: Yes.

Rayes: And you got the parking spaces right and left of it, so I don't see where else it's gonna be that it's gonna be visible for driving South and North on Farmington.

Baringhaus: Have you looked at the corners of your parking lot as a potential sight for your signage?

Rayes: It's gonna be--well, if we go with the corners it's gonna be visible from one side but not the other because we have the gas station right on the North and we have residential houses on the South of the building. So, putting it at any other corner--

Baringhaus: Like a--

Rayes: --I think it's gonna be a challenge to see them.

Baringhaus: Like the Northeast corner seems to be more open than the other corner.

Rayes: Which is right--

Baringhaus: Northwest, I'm sorry.

Rayes: So, it's next to the gas station?

Baringhaus: Yes.

Rayes: But again, it's gonna be really hard to notice that.

Baringhaus: Okay. Currently, you're displaying all the businesses on your existing sign.

Rayes: Well, those are the old ones. I recently purchased the building. There's only one right now that is actually occupying two addresses. There's a sign for the pharmacy but it's not there anymore. So, all these addresses have been vacant for a while.

Baringhaus: Okay. I do have a question for the inspection department. Basically, with the traffic flow in the parking lot. It's--it's divided--literally divided in half.

Albus: Correct.

Baringhaus: Okay. Is that permissible under ordinances or is there guidelines for specific--like more--I want to use the term universal traffic flow where you can circle the lot?

Albus: When it was built it had the proper lane-age for two-way traffic and the proper parking for--

Baringhaus: That's the word I was looking for. Two lane traffic. Okay.

Albus: So, it--it still meets code, having it split into--

Baringhaus: Split into two--

Albus: Two halves.

Baringhaus: Okay, thank you very much.

Coppola: Questions?

Turbiak: Mr. Chair.

Coppola: Mr. Turbiak.

Turbiak: Okay, so you answered some of my questions already. What kind of tenants have you had in the past?

Rayes: They had two doctors from what I've seen from signage. They had two doctors and medical and then there were pharmacists--pharmacy in there.

Turbiak: Okay. Yeah, right, and I apologize you just purchased this property. Could you remind me roughly when you purchased it?

Rayes: August.

Turbiak: Okay. 2021. Okay. Have you seen the proposal of the sign that's in our package? There's two pictures. One shows the existing sign and then there's another one that's just basically a photo that's been modified and kind of an image of what the sign might look like is placed on there. Are you familiar with that?

Rayes: Yes. Yes.

Turbiak: Okay. And do you think that that accurately represents the location and the proportions of where you proposed it--where you plan it be at?

Rayes: You're saying for the picture or for this--

Turbiak: The photo.

Rayes: The picture.

Turbiak: The picture. Yeah.

Rayes: The photo. I doubt that it's in proportion to be honest with you.

Turbiak: Okay, yeah, that's kind of what I was looking at too. I mean, I look and there's a measurement of six feet, it looks like it's trying to represent the sidewalk width, which is an accurate sidewalk width and then there's also a measurement of three feet, I believe that's the proposed setback that you're requesting. But if you look at them, the three foot dimension on the picture, I know there's a (inaudible) that's a little bit of effect but it's basically twice as big as the six foot, so, my point is that it looks like the sign is not that close to the sidewalk, but it's a little misleading because it's--in reality if you were to get three feet, it would be much closer. And to get to the point, my concern is, what safety concerns that would imply. I notice that in your request letter you mention that--and you had a follow up email, I read that as well, that it would be safe and so my question to you would be, what studies did you do if any or how did you come to the conclusion that it would be a safe location.

Rayes: Well, first of all, the sign is kind of perpendicular to the sidewalk, so from any driver view, first of all, they will have time to see if there's someone walking, plus, if you look at the width of it, it's less than a foot, so I don't think it's gonna impose any issue as far as people walking on the sidewalk.

Turbiak: Okay, so no professional studies were done?

Rayes: No professional. Just our judgement.

Turbiak: Yeah, and I'm not professional either, but I'm just trying to lookout for the interests of citizens of Livonia and I can imagine, maybe it's unlikely that there's a stacking situation but if there's two cars let's say looking to exit that Northern most driveway, right, and they're gonna head, let's say Southbound or something, doesn't matter if they're heading Southbound or Northbound from that point, but, so let's say the car is kind of--the second car in the stack is behind that sign and--you know--the car in front of him is waiting because there's traffic and then the guy behind in the second car is maybe looking at his phone, checking his directions where he's going next or whatever. The car in front of him goes and he thinks okay, I need to go pull up now. Now, he's been behind that sign. There could be someone walking, could be someone on a bike who's gonna show up in front of his path in a matter of seconds that he might pull ahead and then run into someone on a bike. And I know technically bikes aren't supposed to be on a sidewalk, but--you know--we won't go there. So, my point is that I have a lot of concerns about the safety and of this location of the sign. Setting that aside though, help me understand what's unique about your needs that would justify and EMC sign variance as well as an overall sign variance. And what I mean is, in the ordinance, you're probably familiar with it, maybe you're not--you know--you can get up to half the sign as an EMC--electronic message center.

Rayes: Right.

Turbiak: Now--but you can't get an EMC when you go over the allowed signage. So, I think for yours it's allowed 30 feet--30 square feet total, and so 15 would be an EMC. But you're asking for a much larger sign, and I understand that you say that you have seven addresses, and you can't fit them on there, but why does the EMC sign need to be so big?

Rayes: Well, I mean, it's--we're proposing 30--30 square feet on both sides. I mean, it just gotta be enough to show the--the message or image or whatever we're displaying there. You know--three feet in height, it just--I think the (inaudible) gonna look at--to look at--to see the message. Especially, that it's far from the main street. I mean, if you look at it, you'll know what I'm talking about. It's really--I mean, it's very hard to notice the building. Even the sign is--I have a for lease sign for a while and we haven't had a call since we put it up, I think it's been a month and a half. So, it's really--it's quite a challenge to attract anybody to be in there without having a sign that most people will notice. I mean, there's a high traffic on Farmington, I believe that we're not catching attention of most of these people in the--

Turbiak: Mmhmm. But again, what's unique that you--okay, let's go, what's unique about why you would need an EMC anyways? I mean, you can get an EMC without coming to the--before the Board as long as you meet the--

Rayes: Yes, the allowed one is half of the 30 square feet--

Turbiak: Yeah.

Rayes: --which is really small. I mean, we barely have enough space to list all these business in there for someone to notice with a big letters or sign, especially if they're driving fast--fast (inaudible).

Turbiak: Okay. That--those are all the questions I have at the time. Thank you, Mr. Reyes and Mr. Chair.

Coppola: Other questions?

Baringhaus: Yeah, Mr. Chairman.

Coppola: Vice Chair Baringhaus.

Baringhaus: Have you considered looking--changing your like signage strategy for this location? I mean, right now you're basically--you know--you have your sign, and you have your individual businesses listed on that sign close to Farmington. It seems like a lot of medical centers will name their building, like I as--could be, just for example, Nu-Vue Medical Center--

Rayes: Right.

Baringhaus: --with the large professional lettered sign on the building that's visible from a distance and then having the individual clients listed near the building or in the building on smaller signages. Have you looked at alternatives like that?

Rayes: Well, here's the challenge. If you look at the building, it's rectangular shape and the buildings are sitting all the way in the end of the parking lot. So, even if you put a big sign, it's gonna be hard to notice because it's really far from there and you got the gas station here and you got the residential houses in there. So, even if you put a big, big sign, it's still--it's not gonna be as visible as a sign that is closer to the street.

Baringhaus: Okay, thank you.

Testa: Mr. Chair.

Coppola: Mr. Testa.

Testa: Thank you. So, in your--in the picture depicted you're showing for the EMC kind of a time stamp that says 2:30, but you're saying you would probably have services provided?

Rayes: Yeah, so, there's seven units and chances are there's six to seven businesses in there so, it's gonna have different messages about medical services. For example, like the Covid vaccine or screening--health screening, diabetes--you know--medical services that are offered by these businesses.

Testa: Okay, how many rows of text would you imagine? Right now, it's depicted as just one row, big letters, 2:30.

Rayes: Well, this is the--the--you saying, how many rows of what? Of the message board?

Testa: Yeah.

Rayes: I'm not following you.

Testa: How many lines of text would you be able to put on your message board?

Rayes: Well, this--the new ones are not screen--you know--and then--

Testa: Okay, so you can put as many as you can.

Rayes: You know, I would imagine, like if you were putting a message would the (inaudible) it would probably be like two rows max.

Testa: Okay. Thank you. And you're simple trying to move the sign slightly closer to the road, basically, roughly one parking spot. When cars are parked there right now, they're probably blocking the signage a bit as people drive by.

Rayes: If someone parking by the sign?

Testa: Yeah.

Rayes: Yes.

Testa: Yes. Okay. Understand. Thank you.

Coppola: Other questions? Alright seeing none, is there anybody in the audience who would like to speak for or against this petition? Correspondence?

Klisz: Yes. We have two letters. Letter of objection, Sue Griggs, 17008 Farmington Road (Letter read.) Letter of objection, Allen Lasher, 33521 Six Mile Road (Letter read.)

Coppola: Alright. Thank you. So, Mr. Rayes, is there anything you'd like to add in closing?

Rayes: Just to answer that question, they saying that there's a condo across the street.

Coppola: Sure, you can answer.

Rayes: It's really--it's hard to see it from that angle because they're facing the end of the sign--the top.

Coppola: Mmhmm.

Rayes: The only way they could look at it is from a certain angle from both directions. Now, we can have the control to be turned off at a certain time if that's a disturbance to the residents.

Coppola: Okay. Anything else in closing?

Rayes: Yes. I mean, we've done a lot of work to the building from the outside exterior to the parking lot--you know. It just--if you look at the sign, it just doesn't go with whole thing. It's really small, tiny and it's not even presenting the whole plaza.

Coppola: Okay. Alright, thank you. I'm gonna close the public portion of the case and start the Board's comments with Vice Chair Baringhaus.

Baringhaus: Oh, thank you. Looking at--you know--the property itself; I can see your hardship because it's--it's a deep lot and the building should be closer to Farmington than what it actually is. So, you kind of--you do have an issue with being seen from the road and having your business recognized and identified as well, but looking at the numbers

that you're proposing for the setback, the height, and the area, and the message board itself, it's very, very large. It's excessive. What I'd like to do is actually table this and have you come back with a reduced plan that's more in line with the ordinances. Thank you.

Coppola: Alright, thank you. Mr. Morgan.

Morgan: Yes, you know what, this sign has been here for many, many years and driving up and down Farmington a million times during my career, I often thought that this sign needs to be fixed. It's--you can't see it off the road unless you're right on top of it. The building's setback. Sometimes you just forget it's there. In this case though, the sign that you're asking for is--it's just too big. Especially the LED portion. I think that needs to be reduced to comply more with our ordinance. I do think that the sign needs to be moved a little bit closer to the sidewalk, not necessarily too close, but--so--and maybe raised a little bit so it can be seen. Sitting so close to the ground, I'd say it's very difficult. So, based on your proposal here this evening, I will not be in favor for this. I think you need to rework it, but I do agree that another sign needs to be put in just not the one you presented.

Rayes: Can we get a recommendation like--

Coppola: Why don't you wait until we're done. Thank you.

Morgan: I would be in favor for tabling this.

Coppola: Okay. Thank you, Mr. Morgan. Mr. Turbiak.

Turbiak: Thank you, Mr. Chair. Yeah. I really agree with Mr. Baringhaus and Mr. Morgan that--you know--this sign does need to change. I think tabling is appropriate. I can't see approving it tonight. I do recognize that this is a very tough location. I don't know what the right solution is. I know you're looking for recommendations. I'm really not sure, maybe you could seek the services of professionals. We've sometime had cases before us where--you know--professionals have--they can do studies for sight lines and things like that. Maybe, again, I'm not an expert. I recognize that. I never see that sign, so I definitely recognize your hardship. I don't see a better place to put it on the property. I appreciate Mr. Baringhaus' recommendation--you know--for a different strategy. You pointed out some challenges to that, which I also recognize. So, my biggest thing would be when your working on this between now and the next meeting is--you know--consider the safety--you know--because if you're gonna wanna move closer to the street, which I can understand why for sightlines, it almost has to be higher and maybe a narrow pole so that there's a lot more visibility under the sign. Just a thought, again, something to consider. But I'm really concerned about--you know--seeing bikers drive by it as cars are coming out of the parking lot like I described. So, I'd be in favor of tabling it. Thanks.

Coppola: Alright, thank you. Secretary Klisz.

Klisz: I agree. I'll give you my suggestions and again, I'm just one person but I think everyone's kind of hitting on the same thing. It's absolutely needed. It probably should be

taller. Meaning, not necessarily the whole sign, but it should be up higher because cars are gonna block it, trucks are gonna block it, so you're gonna probably want it on a higher pole, and I would say that it's too big, so it should probably be somewhere less than the proposed 80 square feet and then the setback. I think three feet is too close, but maybe somewhere a little bit farther away from the sidewalk. These are the kind of things that I would be looking for. And when it comes to electronic message board, here's the deal. We're never gonna give it unless you come in with the exact required sign. And this is just from our historical perspective. I don't think we've ever given one that is in excess of what is allowed. Mainly meaning, if you get it, if you are perfectly inline with all of the other requirements. So, if you're gonna come back with the electronic message board, I don't think you're gonna get support. Again, maybe I'm wrong, but I would think that that needs to be scrapped. It's just not gonna work for this. You don't even have tenants that need it right now. So, it's--and this is just because this is what we do as a city. We're pretty much--the statute is what we allow and therefore us as a Board really don't allow the message centers. If they fit within the ordinance and someone comes in and we don't hear the case, than that's when those signs do exist in the city, but if you're gonna come in with something bigger with an electronic message center, I don't think that's gonna work. Again, my opinion on this, but the other areas, I think if you come back with something in line, then I think you'll get an approval.

Rayes: Sorry, I just got confused. With an electronic message board--

Coppola: You can wait a minute.

Rayes: Sorry.

Klisz: I'm done.

Coppola: Alright. Thanks Secretary Klisz. So, are you tabling?

Klisz: Yes.

Coppola: I'm sorry.

Klisz: I suggest the table.

Coppola: Okay. Alright, very familiar with this location, I lived not far from here for quite some--oh I'm sorry. Mr. Testa.

Testa: I thought I was getting promoted maybe. No.

Coppola: Yeah, you are.

Albus: All in favor?

Testa: Yeah, thank you, so I looked at this case over the weekend and in my head when I first read it, I couldn't imagine what this building was, and I drive through all the time. So, I apologize by the statement, but 4:00 this afternoon, was done with work meetings, I drove over there, and I was like, I've driven by here, but I've never noticed that sign and my first thought was that sign's low to the ground, that's probably why I never saw it. It definitely needs to be updated and to tough on what everyone is saying. I am in favor of tabling this. I see what you're trying to accomplish. You're trying to get better signage, move it closer to the street so it's a little bit easier to see. I understand why you wanna go higher. I understand why you wanna go a little bit bigger. I'm also not in support of the EMC if it puts you over in terms of what's allowed. So, if you can fit your EMC package into the ordinances, I would tell you to go for it, but I wouldn't want you to try to come back--I'm suggesting maybe you don't come back with part of your package is gonna put you over and you need our approval to do it. So, what I'm saying it, minimize the size of your EMC to get it within to our ordinances. Try to get your sign--your package down to something more reasonable and maybe to touch on what Mr. Baringhaus' questions earlier, maybe think about just renaming your building and have the sign out front that calls it some type of medical center--Nu-Vue Medical Center and then maybe propose a second sign up by the building that has on it the seven businesses that are there. So, you can direct people when they're coming to your building, look for Nu-Vue Medical Center and when you're on that site in the parking lot, then you'll have the signs close to the door that tells them which office is which office. But that's just my thinking. That might give you a little more flexibility in terms of ground sound area and be able to give you some type of message board that you're looking for.

Coppola: Alright, thank you. Now it's my turn. Very familiar--like I said I'm very familiar with that--I lived in the neighborhood to the North. Drove by it a million times. Actually, been in that building a couple of times a long time ago. It is, I would have to say, when I--even when I first saw it, I--the strangest placement for a building that I'd seen in Livonia. It's just odd how it sits so far back. You can't see it. The signage I think--something needs to be done and I'm not sure what it is, but something needs to be done. But I will have to say, you did swing for the fences with this one. There's quite a bit here and you're gonna have to come back with something that's a little more modest and hopefully something that works and maybe even--you know--I don't know how many spaces now based--I know we changed the rules on parking. You may even wanna think about revising some of the parking to make a placement for the sign whether it's--you know--I don't know. Making it a monument sign that kind of has something. I don't know. But what you proposed doesn't work. What you have doesn't work. I agree with you. Neither of those work. And I will also second the comments on the message board. Unless you comply completely with the ordinance, that's the only way you're gonna get a message board from--at least from me. I'm just--especially in this neighborhood and this area, there's no other message boards. I just don't think that that's something that I would approve. So, tabling I think give you're an opportunity to think about it. I'll give you--I know you had some questions and I'm gonna go a little off normal process and procedure and I'll give you a chance to ask--answer some questions real quick, but you're gonna have to really think about this. I would also suggest that maybe you do get a professional to help you with this and come up with something that makes sense, that fits in with the area, and

also works for your building. So, I'll--give me a minute, I'm gonna open the floor for a motion.

Upon Motion by: Klisz. Supported by: Testa.

RESOLVED: APPEAL CASE NO. 2021-11-44: An appeal has been made to the Zoning Board of Appeals by Nu-Vue Livonia, LLC (Rafi Rayes), 14300 Michigan Avenue, Dearborn, MI 48126, seeking to erect a ground sign, resulting in deficient sign setback, excess height, area and an electronic message center, which is not allowed on non-conforming ground signs and the area of the message center. The existing ground sign is to be removed.

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The property is located on the west side of Farmington (16975), between Bloomfield and Six Mile, Lot. No. 061-02-0177-004, C-1 Zoning District. Rejected by the Inspection Department under Livonia Vision 21 Ordinance, Section 11.08(2), "Sign Regulations for C-1 Districts," and Section 11.10(2), "Sign Illumination; Standards," **be tabled for the petitioner to review the Board's comments and come back with a revised package.**

ROLL CALL VOTE:

AYES: Turbiak, Testa, Morgan, Klisz, Baringhaus, Coppola

NAYS: None

ABSENT: Boloven

Klisz: 6-0 passes.

Coppola: Alright, so your petition's been tabled which will give you an opportunity--so there's no additional costs, you just have to--you can come back with the same proposal, you can modify the proposal, that which would be my suggestion, but you'll have to go back to the inspection department and get back on the agenda when you're ready to come see us again. So, do you have any questions?

Rayes: Well, just the only question about the EMC board. Is it not allowed, or it's allowed but then the rules and regulations--

Coppola: So if you look at--if you look at the petition or the public notice and you see all of the--all of the stuff listed here as the ordinance that your--so, if you actually fit into all

these, in other words it was at least ten feet away from the road, it was no higher than six foot, didn't exceed 30 feet, and your message board was fifteen feet--

Rayes: Okay.

Coppola: --you don't have to come see us. You can put it up.

Rayes: So, in other words, if we--if it's any of that approved, the EMC's not gonna be approved?

Coppola: Not with--without a variance from the Board and I think you've heard pretty clearly from at least three of four of the members that they weren't gonna approve that.

Rayes: So, unless if it's conforming--

Coppola: Completely conforms to zoning requirements. Chances of you getting--

Rayes: So, the advice is just to remove it off the sign?

Coppola: Yeah, and that will give you more space for your--for your tenants.

Rayes: Okay.

Coppola: Because I think you've heard the feedback is they believe there is a practical difficulty here, the prob--you know--there is openness to considering a larger sign, a higher sign, setback is gonna be a tough one because I think line of sight is gonna be an issue that we'll have to get comfortable with, but there's definitely openness here that I've heard from this Board that they're willing to allow you to have something above that's allowed right now in size and height. Okay?

Rayes: Okay.

Testa: I guess you gotta balance what's more important to you. The EMC sign or you know the height. You know--if you're gonna have to ask for a variance on the height, then that probably nullifies your EMC board.

Rayes: Okay.

Coppola: That's a high traffic area--walking traffic area. And there's a high school right there. Unless you wrap that EMC sign in metal bars, I'm guessing it will last all of six months. I don't mean to be facetious--I mean seriously I mean, you're right by a high school.

Baringhaus: Mr. Chairman, I think Mr. Klisz brings up a good point because with the height of the electronic message center boards, one car blocks it out and I mean, ever--a lot of McDonalds have these signs, I can never read what's on it because the drive

thru line blocks it, so I never see the message and that's something to consider when you're looking at this, the traffic flow coming in and out of that lot. You may have a message on the board, but the traffic coming in and out of your lot or the traffic on Farmington will be blocking it. And from your point of view, you wanna ask yourself, is it worth the investment?

Rayes: Well--you know--the main challenge here is the entrance of the building which is 23 feet away from the main road.

Coppola: Mhmm.

Rayes: This is the main problem here. And it's impossible to have that sign moved to the--like grass in here, right?

Coppola: No, yeah, that's impossible.

Rayes: It has to be in the private--

Coppola: That's impossible.

Rayes: Okay. That's what I thought.

Coppola: Okay.

Rayes: So, yeah, I got the message (inaudible) Anything else?

Coppola: That's it.

Rayes: Alright, thanks so much.

Testa: Mr. Chair.

Coppola: Look forward to seeing you come back. Yes.

Testa: I appreciate your flexibility here to kind of change the process up a bit for--on a tabled case, I think it's very beneficial--

Coppola: Well, I wanna make sure he's not coming back with something that--

Testa: Right.

Coppola: --he didn't understand and then we wasted everybody's time again and he had to come back again.

Rayes: I appreciate that.

Coppola: So, I think that was time well spent.

Rayes: Thank you.

Coppola: Alright, thank you.

APPEAL CASE NO. 2021-11-45: An appeal has been made to the Zoning Board of Appeals by Mark and Norma Tabor, 29101 St. Martins, Livonia, MI 48152, seeking to erect an attached garage, resulting in deficient east side yard setback and combined side yard setbacks.

Side Yard Setback:

Required: 10.0 ft.
Proposed: 5.3 ft.
Deficient: 4.7 ft.

Combined Side Yard Setbacks:

Required: 20.0 ft.
Proposed: 15.3 ft.
Deficient: 4.7 ft.

The property is located on the south side of St. Martins (29101), between Parkville and Middlebelt, Lot. No. 003-01-0434-002, RUF Zoning District. Rejected by the Inspection Department under Livonia Vision 21 Ordinance, Section 4.02(RUF), "Schedule of Regulations."

Coppola: Alright, thank you. Mr. Albus, anything to add?

Albus: Nothing at this time, sir.

Coppola: Any questions for the inspection department? Alright, seeing none, if I can get names and addresses for the petitioner and whoever else is gonna be presenting.

Tabor: Mark Tabor. 29101 St. Martins, Livonia.

Hall: My name is Jim Hall H-a-l-l. I'm from Jay Bilt Construction Company. My address is 14926 Riverside, Livonia, Michigan.

Coppola: Can you hear him? Can you hear him?

Bertani: Mmhmm.

Coppola: Okay. Okay. You have a very soft voice.

Hall: I'm a low talker.

Coppola: Alright, Mr. Tabor, why don't you tell us a little bit about your project, and I'd like to understand the practical difficulty that you have that would suggest the Board would approve the variance.

Tabor: Well, we've been in Livonia for 31 years and we've never had a garage and we're getting old now. I'd like a place to put our vehicles that's enclosed and there's not really anywhere else to put it there on this property because it's substandard size for the area. It's smaller than the other lots around.

Coppola: Okay, so the garage size is--is it a two-car garage?

Tabor: Two car.

Coppola: One and a half?

Tabor: Two.

Coppola: Two car garage. I'm trying to look at the--so, the neighbor to your--so I get that right--is that to the--

Tabor: East.

Coppola: East? So, I got my thing right, to the East, right, so his--his house is pretty far away from his property line?

Tabor: Yes.

Coppola: And is that the back of his house that faces the side of your house?

Tabor: No.

Coppola: It's the front of--

Tabor: It's the side.

Coppola: Okay.

Tabor: We're both facing St. Martins.

Coppola: Okay. And you've been in this house for 30 years?

Tabor: 1990.

Coppola: Without a garage?

Tabor: Correct.

Coppola: That's a lot of scaping windows in the wintertime.

Tabor: And we're getting too old for that.

Coppola: Understand. Okay, why don't you tell me a little bit about the construction, how it will tie into that--tie into the house. The materials you'll be using, roofing, siding, all that type of stuff.

Hall: Yeah, we're just gonna use regular construction grade two by fours for the walls. We're gonna attach it right to the house. It's gonna have a half brick front. We're gonna

put brick on the front of it to match the brick--so, we'll take some of that brick off the side of the house and use that same brick to make it look nice on the front of it. At the time I had measured this thing up, I thought the rule was six foot because I just had another ZBA in March 27--May 27th that they gave me the six foot and they didn't want me to go more on that, but they let us go at six foot and I understand they changed the rule, maybe in August--about a month and a half this, or a month after this they changed it to ten foot but the minimum set back was six foot for some time. So, I didn't realize this was gonna be an issue when we first wrote this up until I turned it in. That would be the main thing of the garage. We're gonna put a sixteen by seven door on the front of it and it's gonna go the whole full length of the house, from the right right to the back, that way I can use that back door that they have on the side there, and that would be the entry point in and out of the garage right from there. I know I spoke to his wife and she feels a little safer it being attached to the house versus having to walk to the back and the lot is not gonna permit to get a garage that--you know--that size to go back any further than that, so, putting it attached to the house will still leave, I guess it's 4.7 foot--you know--next to it but there's no fences there. I don't think anybody would ever even see it unless they put a fence up and then you would see that the difference on that, but overall, I think it would add a lot of--do you have a copy of the blueprints on the--on--with you to see?

Coppola: Yes.

Hall: Okay.

Coppola: Yeah. Yeah, we do.

Hall: So, it's gonna add a lot of curb appeal to the house. We'll match the roof lines up.

Coppola: Yeah, the--the elevation did show--looked like it was siding instead of your--

Hall: Yeah, it'll be all vinyl siding except for the front--half brick on the front of it.

Coppola: When you say half brick up--up to a certain height?

Hall: Yeah, right. I can do that, or I can even take the brick all the way up if I can steal enough brick off the side right there.

Coppola: And the roofing material you use--are you gonna re-roof the whole thing or--or are you just gonna tie it in?

Hall: I think the house roof is--how old is the house roof?

Tabor: 2014.

Hall: So, it's not that old.

Coppola: No, it's not that old.

Hall: So, I think we still get those same shingles. I think they're GAF shingles, Timberlines. I think we can just line right up to that. We use Hard Truss for the most part. There's a couple guys over there, they can come out and actual measure exactly and pick up the same size and we'll just tie right into the existing pitch line and everything. It'd make the pitch and everything all the same, just carry it right on over. It'd be 22 feet.

Coppola: Okay. Questions?

Klisz: Mr. Chair.

Coppola: Secretary Klisz.

Klisz: Question for the inspection department. Is--is the old ordinance six feet as the petitioners' discussing and then did it change with the new zoning?

Albus: I do not know that answer.

Hall: That's what Matt said. (Inaudible)

Albus: Matt probably did the review on this.

Hall: Yeah. That's what he said. Because I notice, I looked at the date, I said when did it change because I was just there in May and had one approved at six-foot so he said it changed in August, so.

Albus: It could have been a different residential district too.

Hall: Oh, yeah.

Coppola: Can't imagine we would have made it--the new zoning was liberalizing, so I can't imagine (inaudible) constricted but there may have been just confusion on what you were talking about.

Hall: Could be.

Coppola: Have you talked to your neighbor--your impacted neighbor? So, your neighbor to the East about construction because I didn't see any--he didn't--I assume he would have gotten notice--opportunity to comment to approve--and oppose it or approve it and I don't see any response from the neighbor.

Tabor: No, she--she was all for it. I had trouble with the bank over the summer, so it took time to go through and she was asking, I thought you were getting a garage.

Coppola: Other questions for the petitioner?

Baringhaus: Mr. Chairman.

Coppola: Vice Chair Baringhaus.

Baringhaus: Yeah, can you tell me about the modifications that'll be done to the driveway to accommodate the garage?

Hall: Yeah, there's an apron and I'm gonna have to widen that up a little bit. I'm gonna come back, I think it's 20 feet or so back, so he can still get a car to ride over there, because right now it's a narrower driveway, so I'm gonna come from the front of the garage, back about 20 feet and then I'll just widen it right from there up to the front, where you can still park the two cars in the front. It'll be about 20 foot back, then I'll angle it over to the existing driveway.

Baringhaus: Okay, so it won't be--it'll come and then widen as you get closer to the garage?

Hall: Yeah, right.

Baringhaus: Okay. Thank you.,

Hall: Mmhmm.

Testa: Mr. Chair.

Coppola: Mr. Testa.

Testa: Mr. Hall, can you--you touched upon it, can you explain a little more detail why a detached garage wouldn't work on the property?

Hall: There's like a wooded section right behind the house, exactly.

Testa: Okay.

Hall: And so, the width of it--I don't think it'd be enough. It'd still be--the same thing would apply, the 4.7 foot, I would be short to keep it there. It's just now, they're gonna be moving it behind the house and--

Tabor: We'd have to move it behind the house.

Hall: You'd have to move and park behind the house as well.

Tabor: There's a wooded area back there.

Hall: So, you'd have to turn and go in behind the deck on the back of the house.

Testa: Okay.

Tabor: I don't think there's enough space because of the deck to put a garage there. You wouldn't be able to drive anywhere.

Hall: That wooded part--from the back of that deck back it's--

Tabor: (Inaudible)

Hall: Oh, you got a picture. That's the back of the house right back there.

Tabor: Yeah. This one here.

Hall: You can see how close it is on you--

Tabor: Have you got--

Testa: Yeah, so essentially, you'd have to remove some trees?

Hall: Right.

Testa: Or your deck?

Hall: Yeah.

Testa: Okay, I understand. Thank you.

Hall: And I think she feels better about the safety issue with being inside her garage, not having to go back outside and walk to the back actually.

Tabor: Plus, I need a place for my snow blower 'cause I can't--I don't wanna be shoveling as time goes on. I'm getting--getting iffy on how--how long I can sling a shovel.

Coppola: Mr. Morgan.

Morgan: Yes, I just wanna confirm. I see this mortgage statement. It says set--so, your lot is 74 feet wide and 134 feet deep from the road?

Tabor: Yes.

Morgan: Is that correct?

Tabor: Well, not from the road from the easement.

Morgan: Okay, from the easement.

Tabor: Yes.

Morgan: And there's no sidewalks there?

Tabor: No.

Morgan: Do you know how far it is from the back of your house to the rear of your yard?

Tabor: It actually goes into the tree line, but I couldn't say.

Morgan: Okay. That's fine.

Hall: It would have to be at least 50--54 foot--

Tabor: I don't know what happened. When we first moved in there was poles out there marking the corners. I had an issue with the guy that moved--it was around the corner on Parkdale. His lot goes behind mine and the house to the West next door to me. So, in his mind, everything in the tree line is his property. All of the sudden these poles showing me where my corners were aren't there anymore and he denied any (inaudible) being gone, but I never took them off, so I can't really say where the back of the lot is.

Morgan: Okay.

Coppola: Any other questions?

Turbiak: Mr. Chair.

Coppola: Mr. Turbiak.

Turbiak: Yeah, through the chair to the petitioner, I noticed you have a shed on your property in the pictures that I see here. Is that still there?

Tabor: It is.

Turbiak: Do you have any plans for that if you get a garage approved?

Tabor: I was hoping to still keep my gasoline and tank and stuff that I don't want in the garage--an attached garage.

Turbiak: I see. What's the dimensions? Or the square footage on that shed?

Tabor: The slab that we had to put down, what is it, a 24 inch rat wall--that's a ten by ten, so it sits on a--it doesn't take up the whole (inaudible) but it's almost that big.

Turbiak: Okay.

Hall: I think it's an eight by ten.

Turbiak: Eight by ten? Okay. Thank you. And to Mr. Morgan's question, it looks like it's about 50 feet from the back of the house to the property line, but I understand the tree line and all that. I mean, I also considered asking you about putting it in the back with an attached breezeway, but--you know--just one man's opinion I don't think that's gonna work or look nearly as nice as attached to the house. That's all the questions I have. Thank you.

Tabor: We like that tree line. It's better than a privacy fence in the summertime. It is a privacy fence in the summertime.

Turbiak: A greenbelt. Yeah, exactly.

Coppola: Alright, anything else? Alright, seeing none, is there anybody in the audience that would like to speak for or against this petition? There is none. Any correspondence?

Klisz: No letters.

Coppola: Okay. Any final statement before we close and take a vote? Nothing? Okay. Alright, thank you. I'm gonna close the public portion of the case and I'm gonna start the Board's comments with Secretary Klisz.

Klisz: Alright, I think this one is a really good plan. The garage is not too big. Even with the shed in place it's still not something we have to concern ourselves with. So, as long as the shed's in good shape, it sounds like it is--you know--you don't have anything too big. I guess I would probably think about saying no other outbuildings would be allowed like--you know--you're not gonna build another shed or something like that, that this should be enough for you. And--and again, I don't think the setback on the one side it seems like it's fine, and because of the combined is 15.3 out of 20, and it's deficient 4.7 and it sounds like it used to be six or maybe that's not true, but if it's six in other districts or something like that, it's just not that big of a deal, and again, the question with the neighbor, I would think if the neighbor had a strong disagreement that they would be here squawking or at least submitting a letter, so I'll take you at your word that your neighbor, especially the one most impacted by it is in support or at least not opposed to it. So, based on that I'll be in support.

Coppola: Alright, thank you. Mr. Testa.

Testa: I will also be in support of this. I see your hardship. I see why you'd like a garage. I'd want a garage here, and also because your neighbor hasn't come in and objected either by letter or in person and he's set further back away so I think it's gonna be fine and maybe it adds a little bit of privacy between you and them by kind of putting a garage between you guys.

Coppola: Alright, thank you. Mr. Morgan.

Morgan: Yes, I'm gonna be in favor of this. I think it'll be a nice addition and I think (inaudible).

Coppola: Thank you, Vice Chair Baringhaus.

Baringhaus: Thank you. 30 years without a garage, definite hardship. Only house in the neighborhood without a garage, definite hardship, so, no, I agree with Mr. Klisz, I think your plan's well thought out. I did have a question about attached or detached but looking at your neighborhood, majority of garages are attached and there's a handful that were detached where the neighbors improvised something to make the garage attached, so I think your addition is keeping within--you know--the spirit and the characteristics of the neighborhood. The fact that your--I appreciate that you talked to your neighbor about it and they're in full support of the project. So, based on that I'll approve the variance.

Coppola: Alright, thank you. Mr. Turbiak.

Turbiak: Thank you, Mr. Chair. Yeah, I agree with my fellow Board members. I'm gonna be in support. Namely because of the uniqueness of the width of your lot and in relationship to your neighbor, being that they're around the corner and there's a lot of space between you guys and they didn't object, and I certainly see the hardship here, not having a garage at all, so, for all those reasons, I'll be in support.

Coppola: Thank you. I'm too in support. I think 30 years without a garage, you've earned a garage. I would have felt more comfortable if the neighbor had at least sent a response in or had shown up, but I do agree with the comments, the other house, the neighbor's house is pretty far away--maybe that's them right now.

Baringhaus: Yeah. Answer that.

(Phone ringing)

Klisz: Oh, that's Homer Simpson.

Tabor: Time for my pill.

Coppola: Okay.

(Inaudible)

Coppola: So, I'll too--I'll leave that at, I'll be in support, so I'll go ahead and open up the floor for a motion.

Upon Motion by: Klisz. Supported by: Turbiak.

RESOLVED: APPEAL CASE NO. 2021-11-45: An appeal has been made to the Zoning Board of Appeals by Mark and Norma Tabor, 29101 St. Martins, Livonia, MI 48152,

seeking to erect an attached garage, resulting in deficient east side yard setback and combined side yard setbacks.

Side Yard Setback:

Required: 10.0 ft.
Proposed: 5.3 ft.
Deficient: 4.7 ft.

Combined Side Yard Setbacks:

Required: 20.0 ft.
Proposed: 15.3 ft.
Deficient: 4.7 ft.

The property is located on the south side of St. Martins (29101), between Parkville and Middlebelt, Lot. No. 003-01-0434-002, RUF Zoning District. Rejected by the Inspection Department under Livonia Vision 21 Ordinance, Section 4.02(RUF), "Schedule of Regulations," **be granted for the following reasons and findings of fact:**

1. The uniqueness requirement is met because this petitioner has had no garage for 30 years and there are many garages in this neighborhood.
2. Denial of the variance would have severe consequences for the petitioner because the petitioner would be unable to keep their cars enclosed.
3. The variance is fair in light of its effect on neighboring properties and is in the spirit of the zoning ordinance because of no neighbor objection and the statement by the petitioner of neighbor's support.
4. The granting of this variance will not adversely affect the purpose or objective of the Master Plan because this property is classified as "Low Density Residential" under the Master Plan and the proposed variance is not inconsistent with that classification.

FURTHER, the variance be granted with the following condition:

1. That the garage be built as presented.
2. That there shall be no additional outbuilding on the property except for existing shed.
3. That the permit be pulled within 9 months.
4. That the five-day waiting period be waived.

Turbiak: Mr. Chair. I apologize, I didn't hear if there was a time limit, and I don't know if we wanna put a time limit on this one as a condition--to Secretary Klisz I guess.

Coppola: Nine months? I think we should have something.

Klisz: Yeah, okay. We'll put a nine-month limit to request permit.

Turbiak: Yeah.

Coppola: And then my comment on the outbuilding, he currently has a shed--

Klisz: Right.

Coppola: So, you're not asking him to take down the shed?

Klisz: No. No additional outbuildings.

Coppola: He can't have additional outbuildings. He can only have one shed.

Klisz: Well, he could come back, and--you know--that was the--

Coppola: Okay.

Klisz: --point. Not to come back.

Coppola: So, no additional outbuildings except for existing?

Klisz: Yep. Except for existing.

Morgan: Mr. Chair. Can I recommend that we do a year instead of nine months because by the time everything falls out and so on and so forth, and--

Coppola: Well, yeah, that's to pull the petition--the--

Albus: Permit.

Coppola: --the permit. Not to finish it.

Morgan: Oh. Okay. Alright, I thought you meant--

Coppola: No. That's--if he pulls the permit within nine months, he's golden.

Morgan: Okay.

Hall: I'm gonna get the permit right away.

Coppola: Still a little cold for pouring cement though, isn't it?

Hall: Oh, we can still pour cement. I can put foundation--it's a full twelve inches by 42 inches and we can heat the ground up before we even pour, put blankets down there and straw, and then we'll use chloride in the concrete and--

Coppola: Okay.

Hall: --we do it all the time. I just won't be able to pour the inside, but everything outside is cement.

Coppola: So, are you looking for us to wave the waiting period so you could pull tomorrow?

Hall: I have to get cement first.

Coppola: No, I'm talking about pulling the permit.

Hall: Oh, yeah, I will. Absolutely.

Coppola: We can waive the--

Klisz: Waive the five day.

Turbiak: Support.

Coppola: Yeah.

Hall: Yeah, that's good. Thank you.

ROLL CALL VOTE:

AYES: Turbiak, Testa, Morgan, Klisz, Baringhaus, Coppola

NAYS: None

ABSENT: Boloven

Klisz: Passes 6-0.

Coppola: Alright, so, you've got your variance with the following conditions. You build it as presented, so the plans that you've presented that's how it's built.

Hall: Yep.

Coppola: No additional outbuildings except for the existing. So, you can keep your shed but no more sheds. You've got nine months to pull your permit and we're going to waive the five-day waiting period so you can pull tomorrow morning.

Hall: Thank you.

Coppola: Alright?

Hall: Yep.

Tabor: Thank you, very much.

Coppola: Enjoy it. Hopefully it'll get up there in time for you to enjoy some of it this winter.

Tabor: I apologize for Homer's interruption.

APPEAL CASE NO. 2021-11-46: An appeal has been made to the Zoning Board of Appeals by Livonia Centers, LLC, 8351 N. Wayne Road, Westland, MI 48185, seeking to erect two ground signs while maintaining one existing ground sign, spaced 70 ft. and 80 ft. apart, resulting in an excessive number of signs and deficient spacing between signs.

Number of Ground Signs:

Allowed: Two
Proposed: Three
Excess: One

Sign Spacing:

Required: 300 ft.
Proposed: 70 ft. to 80 ft. between signs
Deficient: 230 ft. and 215 ft. between signs

The property is located on the north side of Plymouth Rd. (30000), between Middlebelt and Tech Center Drive, Lot. No. 104-99-0002-002, C-2 Zoning District. Rejected by the Inspection Department under Livonia Vision 21 Ordinance, Section 11.08(3), "Sign Regulations in C-2, C-3 and C-4 Districts; Monument Signs."

Coppola: Alright, thank you. Mr. Albus, anything to add?

Albus: Nothing at this time, sir.

Coppola: Any questions for the inspection department? Mr. Turbiak.

Turbiak: Yeah, Mr. Chair, thank you. To Mr. Albus, I have a question about ordinance 11.08 section 3, monument signs. I don't know if you have that handy or if you're familiar with it. It mentions that the maximum length is ten feet, and I was wondering what do they mean by length? And to clarify that a little bit more, I wondered if they meant length along the road? I mean, this sign is gonna sit perpendicular to the road, so ten feet would be a pretty, I'd call it wide or deep sign, but they call it length, but maybe they mean length along the road. And the other thing is that the sign has a fourteen-foot width, again, I would call it since it's perpendicular to the road and I just was curious what the ten-foot length in the ordinance meant?

Albus: I'm sorry, I'm having a terrible meeting tonight.

Turbiak: (Inaudible) hard questions.

Albus: How about--

Coppola: Mr. Neville.

Neville: I say length is the--

Albus: The width.

Neville: --essentially the width.

Coppola: Is how long the sign is--

Neville: How long the sign is.

Coppola: --no matter where it's--how it's positioned to the road. Cause I don't think there's--there's not a restriction on width, right? It's just length.

Turbiak: Well, I don't know. I didn't see anything defined in the ordinance for width, but it seems like you wouldn't want it 100 feet wide. Which this doesn't seem to limit if that's what--if it's talking about the width. Meaning, if you're looking perpendicular to the sign and not being--I think you know what I'm saying.

Coppola: Yeah. Yeah. Yep. Although I can't imagine someone would have a side of a sign being ten feet, but it does--it does--theoretically, it does allow it.

Turbiak: But maybe that's why they're limiting it to ten feet because that should be enough.

Coppola: Okay.

Baringhaus: Mr. Chairman, I have a question for the inspection department.

Coppola: Sure.

Baringhaus: On the map there's an indication regarding the monument signs for a new location for a monument sign that's maybe center of the property, then there's a second identifier for a new sign by the entrance to the mall area, then there's a third identifier for a Red Lobster sign. Are those three signs that are in question for this variance?

Albus: Yes. I believe the applicant can explain--I believe where the lots were split, the Red Lobster sign is on their property so that was counted as a monument sign.

Baringhaus: 'Cause I do have another question. There is another monument sign on the property and there's--it's a--let me see if I can read my notes. It's a Big Lots and a Dunham's sign and it's by the other entrance. That's not listed on this map and should that be considered as well when discussing this variance. It's more towards--more towards Tech Center Drive. Yellow brick, smaller sign. The two signs on it.

Dabaja: Is that a question for me? I'm sorry.

Baringhaus: No. Question for the inspection department, sir. I don't see it marked on this map.

Albus: I would say yes, but I don't see it marked on the map either.

Baringhaus: Okay, great. Thank you.

Albus: I'm sorry.

Baringhaus: Joel has a question.

Turbiak: Yeah, Mr. Chair. I had another question before we jumped off. So, back to the monument sign that's--you know--20 feet high and 14 feet wide I'll call it, what's the area of the sign? I'm guessing it's not over 100 which is the limit, but I couldn't see any measurements on what was in our package on how to calculate it. I mean, it looks like the sign portion was five foot six inches if I remember correctly, but the width, again, other than the fourteen feet--which even if it was fourteen feet it wouldn't be over 100 so again, I can see it's not over the area, but I just wanna understand what the proposed area is and maybe if you don't know then I can wait and ask the petitioner. I mean, the only way you would probably know is if you had other information that's not in our package or I'm missing the dimension on the drawing which it looks like I am. I see it now. Okay. Seven foot four inches. That answers my question. Thanks.

Coppola: Okay, other questions? Alright, if the petitioner could, name and address for the record, please.

Dabaja: My name is Fouad Dabaja. I represent Livonia Centers. 8351 North Wayne Road, Westland, Michigan.

Coppola: Okay, Mr. Dabaja, why don't you tell us a little bit about your project, and I'd like to understand from your perspective the practical difficulty or hardship you have that would suggest that an additional sign would be acceptable.

Dabaja: The existing--the existing property was Dunham's and Big Lots which sits in the back. Those were the original tenants. We've added to the property an additional 30,000 square feet which--there's a lease in place that it's gonna be occupied by Urban Air Adventure Park, as well as that we've built an outlet which is a spec building which is about 6,000 square feet. That is for multi tenants with a drive thru. So, overall, the tenant mix--you know--the actual properties increased in size and the tenants has--you know--also gonna be newer tenants. Well, we realized when we were doing the project is when we did--the outlet has--was put in the front. Since the property sits so back--sits deep in back, the visibility was somewhat there so we've--now since we have something in the front which is about 22 feet high when it'd done with, we needed a bigger sign. We needed a sign to represent the tenants that were in the back and that's when you notice there's a sign that is--Mr. Turbiak was asking about, this is a fourteen foot by 20 feet high sign. That sign represents the tenants in the back which gives them a higher visibility off the road. Now, the square footage of that sign for those tenants is roughly seven and a half, eight feet by the--if you take the width between the two columns which is three point four or three point five feet, so that leaves these tenants about another seven, eight feet in width so technically the square footage for all three tenants is pretty limited. That gives them exposure in the back, and I feel that's--you know--required or that's needed so at least these people can be visible from the road because if you drive by the site today you'll notice that the center sits between Tech Drive and the entry way which is for Red

Lobster and for us. So, coming Eastbound or Westbound, you needed that visibility for those tenants in the rear. Now, coming to the second sign which we--which is already on the site, which is--I don't know the measurement between both signs, but the other sign is a much smaller sign that represents the outlet tenants and the square footage on that is also pretty limited. I don't have the numbers, but you'll notice that the square footage is somewhat--it comes between the columns and I'm going off memory, I'm gonna tell you the columns are two by two and the square footage of the sign (inaudible) not very big, but it's right in there and as far as the third sign that is on the property with the yellow, that sign is gonna go.

Baringhaus: Okay, great.

Dabaja: That has to be removed because really, it's not informing. It's also obsolete. Pretty old.

Baringhaus: It is.

Dabaja: And that's gonna get the--based on the design that we proposed and based on the signage that we--and I don't know, most of you must have driven by the site to know we actually have pretty--you know--pretty decent designed--pretty--you know--pretty elaborate as far as the material that's gonna be used. So, it's gonna be the 21st Century design. It's not gonna be something that is--it's not there, so. There's a lot of thought that went into it as far as the way the construction of the sign, as far as the brick and the varnished brick that was done, as far as the limestone that was done on it, and as far as the materials gonna be used on that sign, it's gonna be presentable--very presentable. It's gonna be--you know--it's gonna complement the area--compliment the project as well. So, visibility is important. Very. And we want the tenants in the rear to--you know--to have visibility as well as--you know--they can be successful to kind of maintain.

Coppola: Okay. Anything else? Questions for the petitioner?

Klisz: Mr. Chair.

Coppola: Secretary Klisz.

Klisz: Is there a reason why they can't be further apart from each other?

Dabaja: You know--that's a good question. I was really thinking about that when I was sitting here. I said--you know--they're kind of close.

Klisz: Right. I mean, it's one of the exceptions that you need.

Dabaja: Truthfully, you know, I've--we've went off the plans that were drawn up and we've done that based on the fact--you know--thinking hey--you know--that was approved and we don't wanna deviate from the approved--overall approved plans and we thought hey, this is what we should do. But if you have a recommendation--you know--again, even

though it was built and--you know--hey, all it takes is probably repositioning--move it up further. I felt--I was thinking about it when you were--you know I said it is, but again, whatever modification--

Klisz: Right.

Dabaja: --needs to be done. Even if we have to kind of--

Klisz: When you're saying approved, approved by like council and planning commission?

Dabaja: No. First time I'm going through this process when it was approved by council and planning commission.

Klisz: Right.

Dabaja: Not thinking--

Klisz: But they didn't--

Dabaja: that we needed to come back here for this.

Klisz: --talk about--they didn't talk about excesses and stuff like that because that's our review.

Dabaja: Again, this is first rodeo--this is the first rodeo. I mean, this is something that I'm new at. At the end of the day, when we found out that's what we needed to do, we just said okay. Let's go in there, see what recommendations to be made, see the conformity of the sign. I couldn't make sure that this thing is--you know--that's what was needed.

Klisz: Thanks.

Dabaja: You're welcome.

Coppola: Couple questions for you and or comments. So, is there any reason why you just couldn't put everybody on one sign?

Dabaja: Again, that's a good one as well. That's another good question. Less costly to me. But again, what is permissible and what's not permissible. What's approved and what's not approved. I mean, if we do based on the design of the big sign, then you have to put the other tenants and you may have to take another--just guesstimate-- maybe we have three tenants, we may do like--may have to do one panel, which is a foot, then another foot. So, I don't know visibility wise, or--you know--how it would look. I really never--we never explored that.

Coppola: It looks--I guess when I look--put two together, you have the three-up top, a little bit of space and you put the three fronting on the bottom and it would all fit on one sign.

Then you could move that sign over a little bit. Again, you wanna make sure that you're not blocking--

Dabaja: You know--

Coppola: --the restaurants but move it a little bit further so you have a little bit more spacing just to be--just to be safe. And I guess the other comment I have is--why--I mean it's nice to have that kind of signage for the restaurants. I mean, they're right there on the road. Everybody can see them and if they're gonna have a wall sign, everybody's gonna know they're there. The visibility on that is pretty good except for again, obviously this big sign you're putting up for people in the back, which is needed, I get it. That blocks some of it but they're right there. So, visibility for them is not that big of an issue and do they really need a monument sign?

Dabaja: Yeah, I--I realize what you're saying on that and I'm gonna go back to your first suggestion as far as putting the smaller tenants on the--or the outlet tenants on the same sign. Just thinking about it from aesthetic and as far as--you know--as far as I'm driving by, am I gonna be able to catch all these tenants at one certain time? So, it'd be more like cluttered. It'd be more--too many and again, I'm not--you know--I don't see the impact that would have. You know, having the two signs, one for the other tenants, I think you'll have it two different views right away, but if you put them all on one--you know--I don't know how much time you have in order to pick up that name or the representation of what the tenant is.

Coppola: Okay. Mr. Morgan.

Morgan: Yes, Mr. Chair, thank you. You know, I--the signs, I think they look very nice.

Dabaja: Thank you.

Morgan: The only problem that I see with this 20-foot sign that I can tell, is that it's gonna be very close to the entrance and the exit. And as cars are exiting that parking lot, it's going to block the sidewalk and there's a lot of walkers there. So, the way that sign is sitting, from what I can see, it's going to block the sidewalk and I think what we started to discuss is setting that sign back a little bit farther to the West. The one that sits right on the entrance exit--the 200-foot sign.

Dabaja: Okay.

Morgan: I think I could get past the amount of signs that you have if they were moved a little bit West and then the other one moved just a little bit farther down so it's not sitting center, so they're not so close. So, people can see them as they're driving Westbound, they can see the signs. It's not creating a traffic hazard as people are trying to exit that--that parking lot.

Dabaja: You're speaking about the large monument sign?

Morgan: Yeah, the 20-foot one that's--and I'm--the way it shows here, I'm not sure. Is there--where does the sign start?

Dabaja: Pretty much if you notice on the bottom the burnished block, I think there were three courses or four, I'm not sure, I'm not looking at the picture--

Morgan: Okay.

Dabaja: --then you'll have to have at a minimum there, I believe--don't count on this one--I believe there's almost a six-foot clearance--am I right?

Morgan: Okay. Alright.

Dabaja: So, you'll have to--based on the--you're got about ten foot--you got about three or four courses on the bottom, which is approximately three feet, three and a half feet with the limestone maybe four feet, then you have another six-foot before the--before the panels for the sign come in. So, basically--

Morgan: So, you're looking at--okay. Alright, I see it now. You're like nine feet up.

Dabaja: Oh, I'm nine--good nine, ten feet because you don't--I don't want the sign to be very low because it's gonna block--people walk--as you said--

Morgan: Okay.

Dabaja: --you know--it's gonna be a hazard. Cars pulling in and pulling out. So, basically, we kind of made that adjustment just for the sake of being visible--you know--in and out, making a left turn, right turn, entrances, stuff like that. It's there. It's way up though.

Morgan: Okay. I think I would still be in favor if this was moved down a little bit.

Dabaja: The--

Morgan: It doesn't have to go that far, but I think it should be a little bit of clearance from where the driveway is and what's the distance on that? Can you--

Dabaja: I believe a site visit would really clarify this. You would physically see it because if you look where the sidewalk is right now, that particular sign is away from the sidewalk is ten feet six inches. If you notice that big monument sign is about--

Morgan: How--how far is though from the driveway--the entrance exit?

Dabaja: Now, there's a curb. There's a measurement on that curb and I put that measurement on because it comes--there's the curb when you pull in which is right at the sign. There is a measurement from that curb all the way to the column on those signs--

those three-foot columns, you know how they are. There is a measurement there that I put in there because you'll notice there's a curb there.

Morgan: Yes.

Dabaja: And there is a setback from that curb and I'm gonna tell you that--I don't remember--

Morgan: Does anybody see this?

Dabaja: --the numbers but it's on there. But it's setback pretty good though. Because if you'll notice, the curb--there's a curb here and the setback is quite back. It doesn't sit right on the curb, no. It goes all the way in.

Turbiak: This distance maybe?

Morgan: Does it have a distance there? Or is that--

Coppola: There's a ten point six--

Dabaja: Ten six off the sidewalk--

Coppola: --from the sidewalk.

Dabaja: And from the curb there's a setback as well because we--

Turbiak: Maybe it's 3.4?

Dabaja: --gotta follow that.

Morgan: 3.4 feet.

Turbiak: No, that's the distance of the column, I think.

Dabaja: The column is three four by three four.

Coppola: That's the width of the column.

Dabaja: But if you notice where the bull nose of the--the sidewalk, where the curb--

Coppola: Mmhmm.

Dabaja: --there's a setback from that curb all the way in. It's not there. No, not on the sidewalk. It's all the way in. It kind of lines up with the--how do I say this, if you take a--if you do a site visit you'll notice that it sits--sits to the West. That was your concern. It does sit--but there's a measurement there as far as I remember.

Morgan: Mr. Chair if it's alright, I wanna show him this. I would like to see where this-- where it is off the sidewalk.

Dabaja: My apologies I should have brought my paperwork.

Morgan: Here is this. Can you see that? So, our plan does not show how far away it is-- only from--

(Inaudible speaking)

Morgan: And what is the distance from the curb here? Is that 3.4 feet or is that--

Dabaja: No. 3.4 is the actual--

Morgan: From the--from the curb?

Dabaja: From the curb.

Morgan: Okay. And what I was saying is that if it was moved over here--

(Inaudible speaking)

Morgan: Yep, I meant from the curb--

(Inaudible speaking)

Dabaja: I'll get that measurement for you if you'd like but I know there's a good setback there. Sorry that measurement is not in there.

Coppola: No worries. Other questions?

Testa: Mr. Chair.

Morgan: I'm all set.

Coppola: Mr. Testa.

Testa: Yeah, question to the petitioner. So, sign "A" as we're calling the big sign, that's the gonna have three tenants on it?

Dabaja: Three tenants.

Testa: Okay. And sign "B" the smaller sign, is also gonna have three tenants?

Dabaja: It depends on if we have a tenant that takes a larger space then we'll have two tenants.

Testa: Okay. So, two or three.

Dabaja: Two or three.

Testa: Got it.

Dabaja: Maximum three. Minimum two tenants.

Testa: And to follow up on I think Chairman Coppola's question, the reason you didn't put one sign is just because the original plan showed it as two?

Dabaja: Original plan also, if you--thinking about it is too many.

Testa: Yep.

Dabaja: It's just too many at one time. It's just like too cluttered. Too many as well as--you know--there's been studies that I know and even--you know--people, as far as advertisement has informed us, if you put too many--you know--people don't--you know--takes a second or two to just pick up--you're not gonna sit there and focus on it while you're driving.

Testa: Okay.

Dabaja: So, you're not gonna pick up seven tenants or eight tenants at one time.

Testa: Okay. Understood. Are you open to making changes to the spacing? I think along to Mr. Klisz' question and maybe moving the smaller sign further West?

Dabaja: Oh, yeah. Whatever modification that's gonna justify--you know--the safety and the aesthetic and stuff like that. We're in the early stages, even though it's already constructed--you know--it's just an additional cost that we can move it over and we still have the material--you know--as far as the block is concerned, as far as the brick is concerned. So, I don't have a problem--I didn't wanna take the old sign down yet because I don't--I have to have something for the tenants.

Testa: Yep.

Dabaja: So, basically, I can pretty much push it to that end as well. It's gonna require additional work but--you know--again, whatever that we need to do to make it more presentable, more aesthetically--you know--whatever is required.

Testa: Okay, so there's not reason you couldn't move it?

Dabaja: No. No.

Testa: Okay.

Dabaja: It can be moved. It's just the cost right now.

Testa: Okay. Thank you.

Dabaja: No problem. We need it. We need it to compliment the project and we need to kinda make sure that it just fits the overall requirement.

Coppola: Mr. Turbiak.

Turbiak: Thank you, Mr. Chair. Through the Chair to the petitioner, Mr. Fouad. The property that has the Red Lobster on it, I could give you the address, but do you also own that?

Dabaja: No.

Turbiak: Okay. Do you know then is there an agreement that allows them to keep their monument sign on their property?

Dabaja: You know--so ironically, I was looking at the title work and as far as the survey and come to find out I do own the easement in front of them. I was not even aware of that. So, I said okay. I think at one time or another whoever partialled off the property just took--did one of those things you know. I still now really trying to figure out do I own the back end, or I don't, even though I do the snow. So, I said, I just--

Turbiak: Okay. So, how long have owned the property?

Dabaja: About eleven years, since 2010.

Turbiak: Eleven years. I think that's really the only question I have at this time. Yeah. Yeah, that's all I have. Thanks.

Coppola: Alright, thanks. Any other questions? Alright, seeing none--

Turbiak: Mr. Chair.

Coppola: Yes, Mr. Turbiak.

Turbiak: Sorry, I do have a specific question. So, we talked about maybe in the scenario where there's two monument signs, I mean, excluding the Red Lobster one for now, you were open to moving the smaller one, I'll call it further to the West.

Dabaja: Absolutely. You're more than welcome to come in and pay a visit to the site make the determination yourself if that's suitable. Again, everything is there. We're still in the--we haven't put the landscaping in, so.

Turbiak: Okay, good. And no, that's a great point, a site visit is always--

Dabaja: Yeah, you're welcome to come.

Turbiak: --appropriate. The--the current one--well there is the current one at the further West end just East of the Tech Center Drive, do you have any thoughts on that location as its benefits or cons as far as that location?

Dabaja: I'm sorry.

Turbiak: There's an existing Big Lots and Dunham's sign, small yellow one.

Dabaja: Yeah, yeah. As I said earlier, that's pretty obsolete.

Turbiak: Agree. Yeah, it's just East of Tech Center Drive, I believe.

Dabaja: Again, having a smaller sign in that particular area is doable.

Turbiak: Okay. So, anywhere from between there and where you currently have it--

Dabaja: Anything you wanted to do really--that--once you do a site visit--you know--you're not gonna move it ten feet. It just doesn't make sense.

Turbiak: Right.

Dabaja: If you're gonna truly move it, you're gonna move it to--

Turbiak: Right.

Dabaja: --move it to a--you know--

Turbiak: Okay. And again, I apologize because I haven't looked that closely at the site, is there any existing groundwork done there?

Dabaja: I'm sorry.

Turbiak: Foundation. Like for the signs, is there any groundwork or foundation?

Dabaja: Of course, there is foundations there.

Turbiak: No, for the signs.

Dabaja: For that older sign?

Turbiak: No. No. No.

Coppola: Are you suggesting has he put in foundations for the new signs?

Turbiak: Yes.

Dabaja: Both signs are already constructed.

Turbiak: Not the existing--the ones that you are proposing are already constructed?

Dabaja: They're out there. Yes. And that's why we found out they're not conforming. That's why we came here.

Turbiak: I apologize. I missed that.

Dabaja: Oh yes. That's why we're here.

Turbiak: Okay.

Dabaja: And again--you know--I don't want you to think--that's when we realized, hey, these are not conforming. We need to go back to the Board of Zoning Appeals. They were not approved, blah, blah, blah.

Coppola: So, they're installed?

Dabaja: I'm sorry.

Coppola: They're installed?

Dabaja: But not the actual signs though. Just the structure.

Baringhaus: The structure.

Albus: And columns.

Dabaja: Not the signs, the structure.

Turbiak: I can understand your reaction to my questions now.

Dabaja: Oh, you're fine. I'm not gonna tell you otherwise.

Turbiak: Okay. Well that definitely puts a different light on it.

Dabaja: This is the--this is one of those things--you know--come to realize what happens, come back in here and make it right and go over the next phase.

Coppola: Who was your contractor?

Dabaja: Vision Construction.

Coppola: For the signs?

Dabaja: For the overall site, general contractor.

Coppola: Don't you have to pull a permit for the signs?

Albus: I believe it was pulled under the entire site because it was approved by planning commission and council.

Coppola: So, you didn't have to have a separate permit for the signs?

Albus: Let me get to this.

Coppola: Apparently not.

Turbiak: Like you I was wondering where was the ball dropped.

Coppola: Okay.

Albus: (Inaudible)

Testa: How did you find out you were non-conforming?

Dabaja: How did we find out?

Testa: Yeah.

Dabaja: We got a call from the general contractor and said hey, the city came in and told us you guys are non-conforming and I said--you know--we did the--you know--hey, we pulled the permit for the entire site and this is part of the entire site--part of the whole project, well you know what, the signs are not included because you'll have to go back to Board of Zoning Appeals. I said okay. Then I started making phone calls and contacted someone in the zoning and he sends me an email and we started back and forth--you know--documentation and we ended up here. So, again, this is one of those things that needed to be corrected.

Turbiak: I understand better now. No more questions for me at this time.

Dabaja: You're welcome.

Coppola: I actually don't understand.

Turbiak: Okay.

Coppola: I do understand what happened. I don't understand how.

Baringhaus: How you got there.

Coppola: What I don't understand is, I thought signs require separate permits.

Albus: And that's where--when they started being constructed--

Coppola: Yeah, and that's--

Albus: --that's when we caught it.

Coppola: Yeah. So, who--who was--who was your contractor for the signs?

Dabaja: We didn't make the signs. There is no signs on the property. Just the structure. Just the columns.

Coppola: Yeah, I know. But who--who's your contractor?

Dabaja: Who's gonna be my contractor?

Coppola: Is that the same contractor? The general put those in? Or did you have a sign--did you have a sign contractor put those in?

Dabaja: Are you speaking about the actual sign or no?

Testa: The columns.

Coppola: I'm talking about--well--

Dabaja: No, that's the same--

Coppola: --the sign is--the column is the signs because it's all part of the signs.

Dabaja: It's the same construction management. Construction company.

Coppola: So, they should have known better because they should have pulled the permit. Okay. Alright. Any other questions? Alright, now I'm gonna ask for audience. I don't think there's anybody in the audience. I think you're with him, right?

Dabaja: Just my brother. Just to support.

Coppola: So if you're not audience (inaudible). Any correspondence?

Klisz: No.

Coppola: No correspondence. Anything you'd like to say in closing?

Dabaja: Whatever it takes to make it work. That's what we're here for.

Coppola: Okay. I'm gonna close the public portion of the case and start the Board's comments with Mr. Turbiak.

Turbiak: Thank you, Mr. Chairman. So, I'm busted in that I did not go to the site and obviously--

Dabaja: Well, you're invited.

Turbiak: Missed the boat on that, yeah. So, my first thought is table to give myself a chance to look at what's already there. I appreciate--it sounds like you're very willing to make it right if needed but before we invest that money, I wanna make sure--get an opinion on what's built and imagine what it's gonna look like. If it hadn't been built yet, I would propose relocating it but if it's already built and it's not an issue, maybe I could get along with it as proposed. I'll keep it kind of short and those are my thoughts on it. I think tabling is appropriate in my opinion.

Coppola: Okay. Vice Chair Baringhaus.

Baringhaus: Thank you. I agree. Thank you for answering the question on why the structures were built before the variance but--you know--looking at the site itself, I mean, where the sign--the structures are placed today, the larger structure, in my mind, that makes perfect sense having it by an entrance and your argument for sign visibility, I agree with that as well. The new sign location--if you look at the businesses on Plymouth Road, they all will have some type of small monument sign in front of those businesses. That's not an uncommon practice. Can I recommend the perfect location for that sign? Would it be any different from where the sign is today? Probably not. You're in the general area of those three businesses. That's acceptable. I guess looking at the bigger picture though, I think the property is a bit of challenge. Those three main large businesses in back are set quite a ways back from Plymouth Road. The other thing is it's a very large piece of property. Almost nine acres.

Dabaja: True.

Baringhaus: Yeah, which you have to communicate the idea that those businesses are back there and that size piece of property as well, so--and part of it is too the communication process where we got today with the current locations on the two signs, I mean, based on that, the hardship, the current locations seem reasonable to me. I'd approve the variance.

Dabaja: Thank you.

Coppola: Alright, thank you. Secretary Klisz.

Klisz: I think that, yes, while it's an interesting fact that it's already built, I think the petitioner is willing to move it and I think it should be moved. I mean, essentially this is big project. It looks really nice. The signs are gonna look really nice. But, this is like a long-term thing. It's gonna be there a long time and it's a big upcoming area in city, so since the petitioner's willing to move it, it probably should be moved, and again I would say--you know--while we can't tell you what to do and that's not our job, we make suggestions, that if you came back and the sign spacing issue was not in front of us and all we had to do was approve the extra sign, then I would definitely be in support of that, so I think it should be moved. Just looking at them and looking how close they were--you know--take the Red Lobster out of the mix, it's already there. It's been there a long time. But moving the second smaller sign to the 300 feet from the other sign, I think would be appropriate. So, I would support a tabling and that's what I would suggest that the petitioner do, is come back with a proposal that basically just says I want the extra sign--I think it's--it really is needed because some of those businesses are way in the back and now there is stuff up front, so having two makes sense. Or having three makes sense, but they should be more separate.

Coppola: Alright, thank you. Mr. Morgan.

Morgan: Yes, as I said before, I think the larger sign that's sitting on the property line, or the entrance exit needs to be moved West at least probably ten or fifteen feet off that driveway. I think that is a--still a visual issue--traffic exiting and entering the property. And also, I agree that the other sign should be moved a bit West of that also. So, I would be in favor of a table at this point with the petitioner coming back with something a little bit different.

Coppola: Okay, thank you. Mr. Testa.

Testa: Thank you. I appreciate your positive attitude. So, yeah, you're in a sticky situation here and how you got there I guess is irrelevant. So, if you were coming to us with a brand-new package that wasn't built, I would want these spaces out a little bit further, maybe closer--the smaller sign closer to the West entrance. If there was enough votes here tonight, I would--you know--approve what you have, but it looks like you don't have enough, so I would be open to tabling it, and I would like to see that smaller sign moved further West. Ideally, I'd like the bigger sign moved as well, but I would be open to keeping it there if you had some type of sight line study and I'll go out there as well. I've driven by it before, and I remember seeing it. I haven't gone in the parking lot and pulled out myself to see--see the sight line. I promise you I'll do that before you come back before us or if you come back before us, well, I guess you have to at some point if you have a sign there and you need a sign. I wanna check out the sight line myself, but definitely that smaller sign I'd like to see moved West, and I'll leave it up to you to determine if you wanna also move that bigger sign. Like I said, I'll try to take a look at it myself. I like the way it looks, definitely from the pictures and getting rid of the outdated sign, obviously would be appreciated.

Dabaja: Okay.

Coppola: Alright, thank you.

Dabaja: Thank you for your time.

Coppola: I do sympathize with the petitioner, however, I don't--somebody should have known better, whether it was the contractor or somebody else, so from that perspective I do feel sorry for you and that you're gonna get an extra cost in some shape or form, but I have a little bit different perspective. I think there's a solution that doesn't require a variance. I think the sign can be moved so it's more than 300 feet from the other sign. I think that there could be one sign instead of two signs. I think the restaurants sit close enough to the street that a monument sign isn't as important or large signage isn't as important. It could be added to it. I just truly do believe there's a solution that doesn't require a variance. That's my position. I do think you have support here for a solution that fits within what you have. I'm not supportive of that, but I do think you do have support of it and I'll be happy to support a tabling and like to see a proposed solution that you have and maybe I'll find that to be something that works but that's--let us finish and then we'll give you--

Dabaja: I'm sorry.

Coppola: --give you a chance. No worries. So, I'll go ahead and open up the floor for a motion.

Upon Motion by: Klisz. Supported by: Testa.

RESOLVED: APPEAL CASE NO. 2021-11-46: An appeal has been made to the Zoning Board of Appeals by Livonia Centers, LLC, 8351 N. Wayne Road, Westland, MI 48185, seeking to erect two ground signs while maintaining one existing ground sign, spaced 70 ft. and 80 ft. apart, resulting in an excessive number of signs and deficient spacing between signs.

Number of Ground Signs:

Allowed: Two

Proposed: Three

Excess: One

Sign Spacing:

Required: 300 ft.

Proposed: 70 ft. to 80 ft. between signs

Deficient: 230 ft. and 215 ft. between signs

The property is located on the north side of Plymouth Rd. (30000), between Middlebelt and Tech Center Drive, Lot. No. 104-99-0002-002, C-2 Zoning District. Rejected by the Inspection Department under Livonia Vision 21 Ordinance, Section 11.08(3), "Sign Regulations in C-2, C-3 and C-4 Districts; Monument Signs," **be tabled for the petitioner to review the Board's comments and come back with a revised plan showing where he would like the new sign placement to be considered.**

ROLL CALL VOTE:

AYES: Turbiak, Testa, Morgan, Klisz, Baringhaus, Coppola

NAYS: None
ABSENT: Boloven

Klisz: 6-0 for tabling.

Coppola: Okay, so your petition's been tabled. Give you an opportunity to come back--you don't have to, but to come back with a revised plan that take into account that comments that you received today. Now, I know you had some questions, so.

Dabaja: Well, no I pretty much see your concerns and know what you're looking for. I believe repositioning the smaller sign is a no brainer. It can be done. I believe--you know--for the--Mr. Turbiak or Mr. Morgan; a site visit is always welcome to see the sight line and see what your thoughts. I believe to be physically present on the property and kind of do the drive by, I think that helps put your concerns in perspective and I'll be more than happy to meet you on site if you decide to do so. Let me know. My contact information is here and I can meet up with you and we can discuss your concerns that you have as far as--you know--locations and so on and so forth. I believe--you know--that way you can have a better view of what's going on. I'm always available. I will come back to you with a different plan and as far as the relocation--

Coppola: Alright.

Testa: Mr. Chair.

Coppola: Mr. Testa.

Testa: Can I ask him one question?

Coppola: Sure.

Testa: What's the maximum spacing you can achieve based on your lot? I think either way you need to come here. I don't think--

Dabaja: I'm sorry, what was the question?

Testa: What's the maximum spacing you can have between those two signs? I don't think you can meet the 300 feet, correct?

Dabaja: No. I can't. I'm not gonna be able to tell you number of feet wise because I don't have the numbers in my head, but again, if you look at where they're constructed now, if the larger monument sign stays where it is right now, then take the smaller one and just put it where the other one was, I believe we'll have--I think it would be--

Testa: 250.

Dabaja: --spacing wise, I'm not sure as far as conformity is, but I'm saying from visibility, from aesthetics, from laying it out, I think it would present more of a better layout and stuff like that.

Albus: I ballparked it at about 200 feet.

Testa: Okay.

Dabaja: I don't--

Testa: Thank you.

Turbiak: Mr. Chair.

Coppola: Mr. Turbiak.

Turbiak: Yeah, I concur that it looks like 200 feet measuring it on our system here, so I think you would still have to come before us even if you moved it to the extreme end. And then just confirming with Mr. Neville from our legal department, I'm pretty sure based on what I've heard in previous cases, although I really appreciate your invitation to come out to us, I think it's against the processes that we should follow right? Or are we allowed to meet up with the petitioner on a one-on-one basis? I'm concerned about the open meetings act and discussing--for example, if me and Mr. Morgan were to--

Neville: Right.

Turbiak: --accept his invitation--

Neville: You can't have three or more I believe is what the open meetings act is.

Turbiak: Okay. Okay.

Neville: So, two or even individually (inaudible). If it's three or more it has to be (inaudible)

Turbiak: Okay. So, I appreciate your invitation, I'll reach out to you if I see the need.

Dabaja: If you wish to come in, reach out to me. I'm always available if you wanted to go to the site.

Turbiak: Yeah, no, I will definitely go to the site. I'll be honest, I didn't realize that it was already built and so I thought I could do my analysis based on Google and measuring and things like that. So, yeah, I got burned on this one. Again, they're built, so it's relevant to see what it looks like now that it's there.

Dabaja: Now I got a lesson for next time that I want to develop now.

Turbiak: Alright, thank you, Mr. Chair.

Coppola: Thank you.

Dabaja: Thank you very much for your time. All of you.

Coppola: Alright, I think we have some minutes to vote on.

Klisz: Yes, Mr. Chair.

Dabaja: Am I all set?

Testa: Yes, thank you.

Baringhaus: And also, the scheduled.

Coppola: We'll get to that.

Klisz: Motion to approve the minutes of November 16th, 2021.

Baringhaus: Support.

Coppola: Motion by Secretary Klisz, support by Vice Chair Baringhaus for the 11-16-2021 minutes. All in favor?

BOARD: Aye.

Coppola: Okay. I didn't vote because I wasn't there.

Turbiak: Right.

Coppola: Okay, we have our schedule. I think--is this final, final or are we still waiting for-

Baringhaus: I'm assuming it's final, final.

Coppola: Because every time we do this then we're told that the planning commission changed their mind.

Baringhaus: I kind of read this email as final.

Coppola: Okay.

Baringhaus: Okay.

Coppola: So, there's our--I don't know if you guys have seen the final schedule, so we just--we have to vote on it.

Testa: Mr. Chair. Regarding this room, is there a reason we couldn't use the auditorium at the library?

Coppola: I-- I don't know except that we generally have it in City Hall.

Testa: Is there any other options for room? The setup here--

Coppola: Not a City Hall.

Klisz: We have had one meeting over at the library. That one neighborhood thing where we had--

Coppola: Oh, we just had too many people.

Klisz: --tons and tons of people coming, and the--this room wasn't gonna be big enough, so we moved it to the library, but--

Testa: What about where City Council does their study sessions?

Turbiak: Is that their Chambers?

Coppola: And that's in their Chambers.

Testa: Okay.

Coppola: We can't do that.

Klisz: They won't let us.

Coppola: They won't. We're not allowed there.

Testa: I know a guy who knows a guy.

Coppola: No, I tried to minimize our time in the gallery as best I can.

Testa: Okay.

Baringhaus: Yeah.

Coppola: This one ended up a little more than we had last year. I worked really hard last year--this year to not be up here--

Baringhaus: (Inaudible)

Coppola: This year I looked at it and there was a--next year I looked at it and there's just no way to avoid it, unfortunately.

Baringhaus: We have seven meetings up here next year. I mean, that's not too bad.

Coppola: That's not too bad.

Baringhaus: Not too bad.

Klisz: Yeah, six in a row.

Testa: Is your concern if we go to the library, it might be hard for people to find?

Turbiak: Yeah, if you're last minute like me today and then you won't have the advantage of just going up the elevator.

Baringhaus: Well, I think the other thing too is the hours of the library. I mean--you know--our meetings run well past their closing time.

Klisz: That's true.

Coppola: Yeah.

Testa: I think that atriums' always open when we get over to that side. They rent those rooms out after hours too, but okay.

Turbiak: Mr. Chair. When we're in the gallery though could I make a recommendation proposal for the arrangement. Maybe just taking that table, turn it 90 degrees so it sticks out here and then kind of create more of an angle so that we're kind of all more facing the petitioners and the audience more? More like the circle that we have in the auditorium.

Coppola: Sure.

Turbiak: Okay.

Coppola: Draft it out.

(Inaudible)

Coppola: Draft it all out.

Turbiak: Sure.

Coppola: Send it over.

Turbiak: Just turn that table and then make that corner touch that corner, that's it.

Baringhaus: Are you requesting a variance?

Turbiak: Am I outside the ordinance? I'm making a smaller footprint. It's a smaller footprint. I'm not asking for more. I'm asking for less.

Coppola: (Inaudible) didn't have like a--I've seen them before, like little corner tables. Because I don't need that much space, but I can take it.

Turbiak: Right.

Coppola: So, Mr. Albus, if you can take it back to your team if there's a way we can arrange this--

Albus: Better layout. Well, the original drawing had you guys opposite this with the audience behind you and I was like it didn't make sense.

Coppola: No, this is how we've done it except I don't know if we turned this--at least turned this and made it narrower or what we've done.

Baringhaus: I wanna say we've had meetings where that table--

Albus: I think we have a smaller table.

Baringhaus: --wasn't there and--

Testa: One long table.

Klisz: That's true. There's been just--

Turbiak: Oh, yeah, you're right it was--

Coppola: This is actually--

Baringhaus: Yeah, this is actually very comfortable. Yeah.

Coppola: Except that again, we don't--I see what you're saying, we don't--we face each other instead of the--

Baringhaus: Yeah, yeah.

Turbiak: Well, if anything this is better because we're at the more extremes of the room whereas before we were in the middle and it was harder--

Coppola: Okay, but anyway, getting back to our schedule--

Turbiak: Okay.

Testa: Move to approve the schedule for 2022.

Klisz: Second.

Coppola: I've got a motion by Mr. Testa, supported by Secretary Klisz to approve the official 2022 meeting schedule as presented. All in favor?

Board: Aye.

Coppola: Okay. Anything else we need to take care of?

Baringhaus: Well, just one comment, I'd like to extend I'm sure all of our congratulations to Scott Morgan for his election to city council.

Morgan: Thank you very much.

Klisz: Distinguished ZBA career.

Morgan: I appreciate that. Thank you very much and I will be stepping down from the zoning board tomorrow.

Coppola: Yeah, you can't do both.

Morgan: I cannot do both.

Baringhaus: They won't let you get paid twice.

Morgan: Yeah, that's what I'm looking forward to.

Neville: Seems just like yesterday--

Morgan: Buy me a hamburger at McDonalds.

Coppola: Alright, and I'd like to just wish everybody a Happy Holidays. We won't be together. I think the 14th is cancelled.

Klisz: It is.

Coppola: There's nobody on there. And so let's plan, we've got a meeting on the 4th but there's nobody on there right now, so, if we don't have a meeting on the 4th we'll do it later, but let's plan on hopefully it'll be a short meeting and we can all have a post-holiday drink together.

Baringhaus: Sounds like a plan.

Coppola: Go over to O'Malley's have a drink. Everybody's invited.

Klisz: Yup.

Coppola: Except for those people. Alright, I need one more motion.

Baringhaus: Mr. Chairman, motion to adjourn.

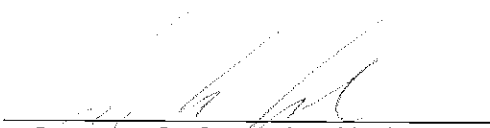
Klisz: Second.

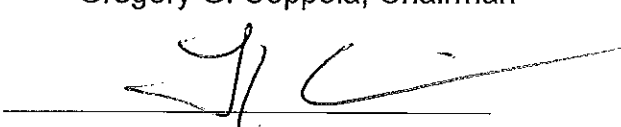
Testa: Second.

Coppola: Alright, all in favor?

Board: Aye.

There being no further business to come before the Board, the meeting was adjourned at 9:24 p.m.



Gregory G. Coppola, Chairman

Timothy J. Klisz, Secretary

/vcb CEO 9489