

## **BOARD OF ZONING APPEALS MINUTES**

A regular meeting of the Farmington Board of Zoning Appeals was held on Wednesday, December 2, 2015 in Council Chambers, 23600 Liberty Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 1976.

Chairperson Kmetzo called the meeting to order at 7:02 p.m.

### **ROLL CALL**

**PRESENT:** Aren, Bertin, Crutcher, Gallagher, Kmetzo

**ABSENT:** None

A quorum of commissioners were present.

**CITY OFFICIALS PRESENT:** Building Inspector Koncsol, Director Christiansen

### **APPROVAL OF AGENDA**

MOTION by Bertin, supported by Crutcher, to approve the agenda as presented  
Motion carried, all ayes.

### **MINUTES OF PREVIOUS MEETING OF SEPTEMBER 2, 2015**

MOTION by Bertin, supported by Crutcher, to approve the minutes of September 2, 2015.

Motion carried, all ayes.

### **MINUTES OF PREVIOUS PLANNING COMMISSION MEETINGS**

The minutes of the September 14, 2015, October 12, 2015 and November 9, 2015 Planning Commission Meetings were received and filed.

MOTION by Aren, supported by Bertin, to receive and file the minutes of the Planning Commission Meetings of September 14, 2015, October 12, 2015, and November 9, 2015.

### **APPEAL OF:**

**Farmington Hair Studio  
c/o Dana Hollowell  
30942 Grand River**

1. Request for variance to Table 25-04, Prohibited Signs, to install an 8" by 41" old-style, moving barber shop pole on front wall of business. Ordinance does not allow for Changeable Message, Moving or Animated Signs.

Petitioner Hollowell addressed the Board and stated that he would like to install a barber pole on the outside of his building to draw business, similar to other ones in the City. He feels it would be a big draw for not only his business but others nearby.

The floor was opened up for questions by the Board.

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Kmetzo inquired how long the Petitioner had been in business at that location and Hollowell answered three months. He stated the building was vacant when he took over but that the neighbors had told him that it had been a salon at one time.

Bertin asked if the current sign would be removed and the Petitioner responded in the affirmative.

Gallagher inquired if any of the neighboring properties had any objections to the installation and Hollowell responded in the negative.

Kmetzo asked for clarification on the number of poles that the Petitioner is requested and he responded one by the door and that the other sign was just a temporary one.

Koncsol gave a history of his contact with the Petitioner stating that he did a nice job setting up the location and that he is trying to restore an old look for that type of use. He indicated that there are currently a couple other barber poles in the city, one being at Joe's Headquarters on Farmington Road which was approved by City Council. He stated he feels the barber pole will benefit him and other businesses in the area as well. On questioning by Kmetzo he indicated that no letters were received from neighboring properties.

MOTION by Bertin, supported by Crutcher, to approve the variance requested by Dana Hollowell, Farmington Hair Studio, 30942 Grand River, for the following reasons and findings of fact:

1. That the variance requested is in keeping with other barber shop poles in the City.
2. That the City Council recommended approval of a similar variance in 2005.
3. There were no objections from neighboring properties.

Motion carried, all ayes.

### APPEAL OF:

**Tom Buck  
Q Co., LLC  
23848 Whittaker Street  
Farmington, MI 48335**

1. **Request for variance to Table 25-09, Schedule of Sign Regulations – Property Used for Nonresidential Purposes, to allow for lettering (sign) to be installed on the ends of a new awning/canopy over the front door entrance (off Grand River) to 33316 Grand River. Ordinance does not allow lettering on end of an awning canopy.**

Inspector Koncsol stated the issue is we have canopies that are permitted, there are a number of signs permitted for businesses in various districts including the Central Business District, those being signs such as window signs, wall signs, what is now

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allowed downtown projecting signs and then awnings that sometimes go over doorways or windows and indicated the issue at hand with the Zoning Board at this point is not the issue of the sign other than it is on the projecting ends of the sign, it is allowable to have signs on the front as an awning angles off a building, verbiage or logos are allowed for businesses on fronts, but it's the sides that create the contention within the ordinance. He stated back when the sign ordinances were developed, there were a number of instances back in the days that there was signage on the ends and that was prior to the ordinance addressing that scenario. Part of the dialogue and discussion was that sometimes putting in on the sides may create issues of visibility as far as putting a number of awnings close together there may be some issues with visibility of that. But he stated that Mr. Buck with his particular building does not necessarily have that situation because he has no awnings to really contend with but the issue is nonetheless by the ordinance being updated they kind of eliminated that type of thing for those types of purposes during that evolution of that ordinance. With that particular circumstance he stated he asked the DDA to give us their input since they were instrumental in coming up with what signs were appropriate for the downtown to offer their insight to the board to help them in their decision making process which was included in the Board's packets. There was also one email correspondence from Diane Cassidy who has a business very close to this proposed awning and has questions about it.

Kmetzo summarized Koncsol's rendition by stating that previously there had been no ordinance to prohibit the sign on the sides of awnings and then an ordinance had been put in place which disallowed that and the existing signs were not asked to be taken down and Koncsol confirmed her synopsis.

The email correspondence of Diane Cassidy, owner of Salon Legato, was read into the record.

Petitioner Buck addressed the Board and stated that the address contains a multi-tenant facility with four tenants in the building, Basement Burger Bar, Baker's Studio, Visible's Marketing and Mike Greer Photography, stating that this request is different than other applications for awnings as those are single business oriented rather than multi-tenant as this and that his clients are requesting that their logos could be in this location on the sides of the awnings.

He stated the intention of his request is that the awning would draw more attention to the door and help people find the businesses and that his request is not for permission to put the awning up, which is compliant with code, but that the logos on the side would require the variance.

He emphasized the fact that this is a multi-tenant facility, and in trying to foster pedestrian traffic in the downtown, the logos on the side of the awning are more pedestrian friendly and would help patrons find their destinations.

He gave the dimensions of the awning, projecting three feet from the façade of the building and it would not block any view of any other business. He stated this would be in the middle of the façade, this part of the Cook Building, which is 15 feet from the sides whether the corners of the other buildings being.

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He further addressed the questions in the email correspondence regarding the dimensions of the awning and the maintenance of same.

Kmetzo asked what names would be put on the awning and Buck responded two logos would be depicted on the side and further discussion was held.

Aren stated that two names may make the appearance too busy.

Kmetzo inquired about the size of the lettering. She then asked if the excessive window signage would be removed when the awning signage is in place and Buck responded he has discussed that issue with Basement Burger Bar.

Buck stated he is trying to identify the businesses that are in the building and make it clear how to get to those businesses.

Kmetzo asked Koncsol if once precedence is set, will other businesses be able to have projecting doorway awnings with signage on the side.

Koncsol stated that might prompt revisiting the ordinance and further discussion was held.

Kmetzo addressed the correspondence from Annette Knowles included in the Board's packets that stated that the Design Committee did not have an issue with the awning but were opposed to the inclusion of the additional signage on the wings of the awning.

Koncsol stated his understanding of their correspondence was that there were other alternatives available that were more attractive rather than the additional side wing signage.

Buck discussed the two blade sign positions on the building.

Christiansen stated one of the things looked for in the city when it comes to signage is functionality, compliance with regulations. He indicated signs are intended to be unique identifiers and is very important to every and any business, whether in downtown or not. He stated the city's sign ordinance is very flexible with the types of signs allowed. He described the differences in signage in the downtown for pedestrian traffic versus vehicular traffic. He cited the adversities faced with directing patrons to a multi-tenant building.

Bertin related his concerns with awnings and blocking the visibility and adding to visual clutter. He stated that having clear addresses on the awning would guide patrons to the location. He expressed concern about an overabundance of awnings coming into play in the future and stated there are alternative solutions to the problem.

Further discussion was held on the possible verbiage on the side of the awnings.

Buck stated he has put in in a formal request in Oakland County for design assistance to help design the façade and fit the character of the building.

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Christiansen reiterated his reliance on functionality, if the sign serves the purpose that it needs to serve and meeting the ordinance requirements and the intent of the ordinance. He cited the unique circumstance of this request with the one entrance for multiple tenants. He also stated they are looking to modify some of the window signage, to streamline it and make it more effective and functional for the tenants and indicated it would be a positive improvement and a trade-off with respect to the request before the Board.

Kmetzo asked for clarification on approval of the variance and Christiansen responded what alternatives were available to the Board.

Crutcher inquired if granting could be conditioned on the bringing back of the actual graphics to the Board and further discussion was held.

Aren proposed an alternative graphic for the signage.

Bertin inquired of Koncsol of what the maximum projection an awning can come out from a building and he responded three feet.

Gallagher echoed the previous comments about the address on the side of the awning being helpful for pedestrian traffic and further discussion was held.

Kmetzo summarized the request before the Board.

MOTION by Gallagher, supported by Bertin, to provide conditional approval contingent on the final design approved by the Zoning Board of Appeals, for the awnings to have address lettering on the sides exclusively at 33316 Grand River.

Motion carried, all ayes.

Buck thanked the Board for their time and dialogue.

### **2016 ZONING BOARD OF ZONING APPEALS MEETING SCHEDULE**

MOTION by Crutcher, seconded by Gallagher, to approve the schedule as presented.

Motion carried, all ayes.

### **PUBLIC COMMENT**

None heard.

### **ADJOURNMENT**

MOTION by Bertin, seconded by Kmetzo, to adjourn the meeting.

Motion carried, all ayes.

The meeting adjourned at 8:10 p.m.