

FINAL
CHARTER TOWNSHIP OF COMMERCE
ZONING BOARD OF APPEALS MEETING
Thursday, March 25, 2021
2009 Township Drive
Commerce Township, Michigan 48390

Due to the Michigan Department of Health and Human Services order, this meeting was held via Zoom, electronic video conferencing technology.

A. CALL TO ORDER: Chairperson Rosman called the meeting to order at 7:00pm.

ROLL CALL: Present: Rusty Rosman, Chairperson
Clarence Mills, Vice Chairperson
Robert Mistele, Secretary
Rick Sovel
Bill McKeever

Also Present: Paula Lankford, Assistant to the Planning Director
Debbie Watson, Recording Secretary
Jacob Batlemente, Meeting Moderator, Merge Live

Chairperson Rosman introduced the Members of the Board to those present.

B. APPROVAL OF MEETING AGENDA

MOTION by Sovel, supported by Mistele, to approve the Zoning Board of Appeals Regular Meeting Agenda for March 25, 2021, as presented.

ROLL CALL VOTE

AYES: Sovel, Mistele, Mills, Rosman, McKeever
NAYS: None **MOTION CARRIED UNANIMOUSLY**

C. APPROVAL OF MEETING MINUTES:

MOTION by Sovel, supported by Mistele, to approve the Zoning Board of Appeals Regular Meeting minutes of January 28, 2021 as presented.

ROLL CALL VOTE

AYES: Sovel, Mistele, McKeever, Rosman, Mills
NAYS: None **MOTION CARRIED UNANIMOUSLY**

D. PUBLIC DISCUSSION OF MATTERS NOT ON THE AGENDA:

Chairperson Rosman opened to Public Discussion of Matters not on the Agenda.

Jacob Batlemente – We have no members of the public with us at this time.

Chairperson Rosman closed Public Discussion of Matters not on the Agenda.

E. UPDATE OF ACTIVITIES IN COMMERCE TOWNSHIP:

Rick Sovel – Township Board & Library

- It has been a quiet month.
- The Fire Station is under construction on Welch Road.
- We have a subcommittee, which I'm a member of, for the Sheriff's substation. We need a larger police substation, so we are looking at some properties. We're

looking to make a determination. We own the property at 8585 PGA Drive adjacent to Township Hall. We're either going to convert that into a new police station, or build something new. We've been working on that the last couple weeks.

- I know Rusty loves the Library and garbage service.

Chairperson Rosman – I do, and I love my Library, and the drive-through window.

Bill McKeever – Planning Commission

- We approved a Special Land Use and the corresponding site plan for a new climate-controlled self-storage facility located within the TLM Zoning District within the Haggerty Road Corridor. That's the two vacant lots at the southwest corner of Pontiac Trail and M-5.
- We also approved a Special Land Use and site plan for Jiffy Lube International to construct an oil change facility in one of the outlots at the Meijer store, at 1703 Haggerty Road.

Chairperson Rosman – Later, I will read a letter into the record that we received from the Planning Director regarding Bill and his ability, and his inability, to participate regarding the Jiffy Lube request.

F. OLD BUSINESS:

None.

G. NEW BUSINESS:

ITEM G1: PA21-01 – NINO DIGRAZIA

Nino DiGrazia of Commerce MI is requesting a variance from Article 33 of the Commerce Township Zoning Ordinance to allow a shed to remain in the lakeside front yard located at 486 Charlevoix. Sidwell No.: 17-03-280-002

Chairperson Rosman reviewed the requirements for receiving a dimensional variance. She noted that a variance is valid for 365 days from the date of the approval letter, and a building permit has to be pulled within 365 days or the variance expires. Lastly, she stated that each ZBA member has physically visited the property.

Chairperson Rosman opened the public hearing.

Mr. and Mrs. DiGrazia were present to speak to the variance request.

Mr. DiGrazia – Obviously you have been out to see the shed. I had an existing shed there. I rebuilt it. It was a safety hazard and a safety concern. Basically, we need the shed because we're on such a tight lot. I think you have all seen the septic field plans. My entire front lot is a septic field. There's very minimal storage that I could actually use for anything combustible or not safe to store inside. I have the ATV in there. I use that to plow the street. This is all broken out in the letter, but I'll go over it again. We're on an isolated peninsula of the street. I don't think the shed we have really obstructs anybody's view. What I left out of the letter was that there's a ton of foliage in between our house and the neighbor's house, so in the summertime, that basically

blocks out the whole shed from street view and from my neighbor's view. It doesn't obstruct anybody else, except us.

As far as the six points you mentioned, I don't want to reiterate too much, but in the letter we explained that we don't have any other form of outdoor storage. This is really the only thing that we can do. I know somebody mentioned something about offsite storage for the stuff under the lean-to, which was covered in a blue tarp and didn't look the greatest. Some of that was my work stuff and I've already made arrangements to get that out of there. The rest of the stuff is patio furniture. My neighbor shrink wraps our other furniture, so I'm just going to have him shrink wrap in place on the patio. So, we really won't be storing anything else under the lean-to. It kind of doubles as a shade retreat in the summertime.

Mrs. DiGrazia – I think the biggest thing is that when we bought the house, it did have a shed. We didn't know that this was a thing, and so we rebuilt it. Had we known that, we obviously would have asked for permission, but we did have it when we bought the house. Had the house not had a shed when we purchased, we probably wouldn't have been able to do it because we wouldn't have had anywhere to store our outdoor belongings. I don't know if this is the time to say it, but we have spoken with both neighbors on each side. The neighbors that are to the east side of us, they haven't had any issues or complaints about it. It doesn't obstruct their view or perception.

Mr. DiGrazia – We do have a lot of neighbor support as well. The surrounding neighbors, those that go out onto the lake that actually benefit from us keeping our lawn looking clean. Because they're on the lake, they can actually see our house in the summertime, so that's how we really maintain the property. Those neighbors are all in support of it as well.

Chairperson Rosman noted that the Board had received the letter and documents. She asked that the minutes reflect these submissions.

The applicant submitted an appeal letter, along with a petition in favor of the request, which was signed by the following neighbors, all of whom are Commerce Township residents. Those marked with (*) also submitted personalized letters in support of the request by Mr. & Mrs. DiGrazia:

1. Ann Zatsick & Dan Zatsick, 5725 Kalkaska
2. *Connie & James Lynn, 5585 Paradise
3. *Kevin Grenier, 202 Keweenaw
4. Larry McDonald, 5336 Lancaster Ln.
5. Nate & Ashley DiLucchio, 5726 Lancaster Ln.
6. Jennifer Smith & Kirk Krikorian, 5281 Riverwalk Trl.
7. Shelby & Jared Kowalski, 620 W. Wise Rd.
8. *Renee & Matt Delaney, 5280 Lancaster Ln.
9. *Denise & David McClerren, 5684 Lancaster Ln.
10. Bret & Elizabeth Carver, 5318 Lancaster Ln.
11. Susan & Dennis Miller, 331 Anaconda
12. *David Mellerowicz, 492 Charlevoix
13. *Hope & Tony Hebert, 5691 Paradise
14. *Irina & Mikhail Dukhan, 480 Charlevoix

There were -0- returns, -7- letters and -1- petition received, as indicated herein.

Chairperson Rosman closed the public hearing.

Board Comments:

Sovel – It's definitely a unique, small piece of property. I know we don't necessarily like having a lot of stuff on the lakeside, but in this case, this property is unique and they don't have any other place, other than where the shed is at. I was trying to look at if there was a way or someplace else we could move the shed. There's no place else. It's pretty limited. If we move it too close to the house, then they can't access on one side. I actually would vote for this, to leave the shed where it's at. I would ask though, if there's a way that they can try not to use the blue tarp. Do something that it won't stand out so much, especially in the wintertime.

One condition is that it can only be personal items, and no business related items. If we get approval on this, I'd like to include that wording and make it very clear.

Chairperson Rosman – Did you want to speak to the lean-to at all? They added it. It was not there originally.

Sovel – I don't have anything to say on that right now. I might come back.

Chairperson Rosman – All right, thank you. Clarence?

Mills – I was surprised at how small the property is. Like Rick says, there's really not much room to store anything there. I really didn't have a problem with the shed. I was surprised how well the shed matched the house, the trim, the paint, the whole nine yards. It looked really nice. It's certainly not in any form of disrepair. It has obviously been taken care of.

The lean-to, it seems kind of big to me, but I could go along with voting for that if that's the way it goes.

Mistele – I'm basically going to ditto everything Rick and Clarence said. One thing I did want to note though is that most of the neighbors in the area do have either a shed or a garage, or both. I think having a shed is definitely not something that is putting them above anybody else in the neighborhood.

As far as the lean-to, because they're not asking for any size variance, I don't have a problem with it.

McKeever – I agree with everything that's been brought up. The only thing that I would add is that should this variance be granted, I think since there was construction involved in the structure, that whatever necessary permits should have been pulled prior should be done and the structure inspected and deemed safe, even though it's after the fact.

Chairperson Rosman – I do have some objections and some points I'd like to make. The shed, I understand completely. The lean-to, not at all. The lean-to doesn't match at all, and especially if you move out the business items. I know you'd like it for shade, but you could buy a big umbrella at Costco that would give you the same thing. I don't want the lean-to there. It doesn't fit, and it increases the degree of nonconformity, which I know you didn't know when you enlarged the shed, but it doesn't work.

When the motion is made, I'd also like to entertain the thought that should the opportunity become available for this family to purchase property to the east of them, that they build a garage as it gives them a larger property. I know they would like to do this, and if it does happen, then the shed has to go.

I would be interested what other people think about the lean-to itself, since what they came for was the shed. They enlarged the shed, but there was no lean-to there.

Sovel – I'm trying to see what you see.

Chairperson Rosman – It's unsightly.

Sovel – So if it was painted the same color, the gray and white, as the rest of it, would that change it for you?

Chairperson Rosman – No, they enlarged the shed and then added the lean-to. They're asking to enlarge the shed. They're not asking to include the lean-to.

Sovel – I understand, and I know it's hard but you have to visualize it without the blue tarp in there. So you're saying it's not the visual part. You don't want it because it wasn't part of the original...

Chairperson Rosman – It's not part of it, and the visual. It doesn't fit. The property was that size when they bought it, and we all have those same issues. So many of us have storage units for things for that same reason.

I don't have a problem with the shed. It's the lean-to I'm objecting to.

MOTION by Sovel, seconded by Mills, **to approve, with conditions**, Item PA21-01, the request by Nino DiGrazia of Commerce MI for a variance from Article 33 of the Commerce Township Zoning Ordinance to allow a shed to remain in the lakeside front yard located at 486 Charlevoix. Sidwell No.: 17-03-280-002

Motion to approve Item PA21-01, to grant the variance from Section 33.01.A.5.a of the Township Zoning Ordinance to allow the shed to remain, in the lakeside front yard of the home at 486 Charlevoix, including the lean-to, **subject to the following conditions:**

1. The only item that can be stored in the lean-to and in the shed are personal items; no business items are permitted; and,
2. In the event that the petitioner does build a garage at a later date, the shed would have to be removed; and,
3. The necessary building permits, that should have been pulled prior to construction, will be sought and the structure will be inspected to ensure it is deemed safe; and,
4. The lean-to will be made to look the same as the shed, as close as possible, as discussed herein.

Approval is for the following reasons:

- A. The property is very unique; and,
- B. The variance will give the applicant substantial justice and will bring him into compliance in terms of similar properties with lakefront storage; and,
- C. This is not for financial gain; and,
- D. The circumstances are due to the peculiarity of the size of the land; and,
- E. This is not self-created; and,

F. It will not cause any adverse impact to any of the adjacent properties.

Discussion –

Rosman – Do you want him to make the lean-to match the shed?

Sovel – I brought that up and you didn't seem to like it, Rusty.

Rosman – In your motion, I would like to see it say that the lean-to would match the shed.

Sovel – Nino, that treated lumber, can it be painted?

Mr. DiGrazia – It can be stained or painted. Like the deck on the ground?

Sovel – Not so much the deck, but the part at the roofline.

Mr. DiGrazia – Yes, that and the poles can be painted.

Sovel – What about the lattice, Rusty? Can that just be left the same?

Rosman – Let's say, *make the lean-to as close as possible, looking like the same look as the shed.* Is that fair?

Sovel – Is that doable?

Mr. DiGrazia – That's doable.

Sovel – And then Bill's comment about the required building permit and inspection.

Mr. DiGrazia – Yes, I have: building permit, only personal belongings, no work materials, which has already been taken care of, and then the shed removed if we do purchase the lot next door, which would be my dream.

Sovel – And I'm not putting in the wording about the blue tarp, but do whatever you can.

Mrs. DiGrazia – Do not use the blue tarp at all.

Mr. DiGrazia – We will not use the blue tarp.

Rosman – Thank you.

Sovel – Also, just because the property is very unique, the variance will give the applicant substantial justice and will bring him into compliance in terms of similar properties with lakefront storage ...

Rosman – And it's not for financial gain.

Sovel – ... and the circumstances are due to the peculiarity of the size of the land, it's not self-created, and it will not cause any adverse impact to any of the adjacent properties.

ROLL CALL VOTE

AYES: Sovel, Mills, Mistele, McKeever, Rosman

NAYS: None

MOTION CARRIED UNANIMOUSLY

Chairperson Rosman – You will get a letter from the Planning Department, anywhere from 5-10 days. When you receive that letter, take it into the Building Department and they will tell you what to do next regarding the variance.

The DiGrazias thanked the members of the Zoning Board of Appeals.

ITEM G2: PA21-02 – JIFFY LUBE

Jiffy Lube International, Inc. of Houston TX is requesting sign exceptions from Article 30 of the Commerce Township Zoning Ordinance to exceed the number and square footage allowed for wall signage located on the west side of Haggerty Road in an outlot of the Meijer store at 1703 Haggerty Road. Sidwell No.: pt. of 17-25-426-014

Chairperson Rosman – Because Bill McKeever is on the Planning Commission, and he has already voted on this, please listen to the following letter submitted by the Planning Director:

The Michigan Zoning Enabling Act is the State law that governs the creation & operation of a municipality's zoning board of appeals. Section 601 of the Zoning Enabling Act states that a township's zoning board of appeals shall include a member of the township's planning commission. Bill McKeever has served as the Commerce Township Planning Commission's representative on the Zoning Board of Appeals since 2003. The Michigan Zoning Enabling Act further states that a member of the zoning board of appeals who is also a member of the planning commission shall not participate in a public hearing on, or vote on, the same matter that the member voted on as a member of the planning commission. The member may consider and vote on other unrelated matters involving the same property.

On March 1, 2021, the Planning Commission approved a special land use and a corresponding site plan for a new Jiffy Lube automobile service center on a newly-created outlot within the Meijer store property. Mr. McKeever voted on Jiffy Lube's special land use and site plan as a member of the Planning Commission. Mr. McKeever therefore cannot participate in or vote on Jiffy Lube's petition before the Zoning Board of Appeals. Mr. McKeever will remain "live" for Jiffy Lube's petition during the electronic meeting, and may be called upon by ZBA members seeking any information specific to the Planning Commission's action relative to the special land use and the site plan, but he should not be called upon as part of any discussion specific to the Sign Exceptions being requested by Jiffy Lube.

Chairperson Rosman opened the public hearing.

Matthew Pisko, Operations Director of Sevan Solutions, representing the petitioner, Jiffy Lube International, Inc. of Houston, TX, was present to address the request.

Mr. Pisko – Is it all right if I share my screen?

Chairperson Rosman – Yes, but I can't see it. Jacob?

Jacob Batlemente – There we go.

Chairperson Rosman – Yes, thank you. I can see it.

Mr. Pisko – This is the existing Meijer parking lot parcel that we're proposing to develop along Haggerty Road. The Library Pub is back here. This is the "after" proposal, and you'll see, we're filling this spot and retaining this landscape island, this mature landscaping in front of the store, keeping this mature landscaping, and augmenting on the backside.

This screen here is along Haggerty Road, and this is in the winter. This is the development. As you head north on Haggerty Road, this site is completely invisible to northbound traffic. This is the very first break in that island of evergreen and deciduous trees where they can see the building. So we're proposing a sign, and I'll show you the elevations that northbound traffic can see the east side of the building.

Conversely, if people head south, they can't see because of the trees along here. They're not in the center or turn lane, but the southbound lane traversing can't see the front or the north side of the building. We don't have the benefit of a monument sign, so this is really the only two times, this small break if they're headed north, they'll be able to see this portion of the building, and as you head south, you'll be able to see this face of the building.

I'll click through to the elevations. This would be the north elevation, so as you're heading south, you would be able to see this for a very brief period of time, enough time to allow you to make a decision to turn into the Meijer approach to get to the property. As you head north, this is the east face of the building that you'd be able to see in that little window in front of the building. This is the addressed side of the building. This sign alone complies fully with the size requirements, it's just that we don't have a monument sign and that living screen is extremely effective.

Here is the Library Pub if you traverse north and look this way ... this was when the property was for sale. This is what we're going to be behind. If you move a little further north, here is the Meijer gas station, and that is the Meijer monument sign. We're behind this grade.

Here is the other side and this is that entire landscape island that we're retaining, and we're augmenting landscaping around the backside. This is the first chance you'll get to see the north side of the building. Each one of those signs only serves to northbound and southbound traffic, not either at the same time, so it's certainly not going to add to sign blight.

As far as the seven exceptions to standards for signs, I think we have a compelling argument that we're not asking for anything in excess of what we need to identify the business, and we would ask for your consideration. Again, these are the signs, and they're 38 square feet in total and backlit. From guidance from the Planning Commission, this had a substantial amount of EIFS on it, but we have converted the building to be 100% brick, and we added additional penetrations on the front of the building, plus windows and the awnings on the east elevation. If you have any questions, comments or you want to look the drawings, I'd be glad to do so.

Chairperson Rosman closed the public hearing.

There were -0- returns and -0- letters.

Board Comments:

Chairperson Rosman thanked Mr. Pisko, and asked Sovel to chair while she retrieved a document.

Sovel – Since I'm in charge, Bill, are you there?

McKeever – Yes, I am.

Sovel – When they presented, did you talk about the fact that the signs were larger and the need for a variance?

McKeever – We did, and the Planning Commission has been appreciative to the reduction in EIFS. I don't know that I can speak to their opinion on additional signage.

Sovel – I didn't know if you discussed at all with them at the Planning Commission about the signs and what the ordinance says.

McKeever – We did express to them how this would be the most signed property in the Township, and I don't know that I can go beyond that.

Sovel – No, that's okay. I just wanted to make sure that there was at least some discussion. Matt, is this smaller than what was originally proposed?

Mr. Pisko – It is substantially smaller. I'll show you the original elevations.

Chairperson Rosman – They're allowed 42 square feet based on their 42 lineal feet.

Sovel – I wanted to see what they were originally proposing.

Mr. Pisko – It is substantially smaller. This was the original sign package. We were proposing 38 square feet on the north side, 38 square feet on the south side, and on the east elevation 38 square feet but split between two different signs. We've completely omitted the sign on the south side because that living screen completely obscures the building from the south side. It would be impossible to see. You may see glimpses of the building, but it's not going to be a safe way to inform the public as they head north, so we omitted the sign. This east side of the building is still obscured to this point, so we eliminated this whole element. In lieu of that, we moved one of these signs up here because when that break occurs, if you head north, you can actually see this corner of the building. And I say that with a caveat; at some point in time, those trees are going to grow, and it may be reduced, but this is the best shot at getting our signs noticed for the time being. We have no option as that screen will continue to grow.

The north elevation is the only one that's visible to southbound traffic. What we're trying to get across is that you can't see the signs. You can see one 38 square foot sign when you're headed northbound, and you can see one 38 square foot sign as you head southbound. You can't see both of them at the same time because of the angles of the building.

Sovel – Is the Pennzoil sign completely gone now?

Mr. Pisko – This entire element is gone, and this entire element is gone. We've replaced this element with a sign like this. This is the north elevation which has this. That band that we had previously was along here. We've omitted that because this part of the building is not visible to northbound traffic. This is where we chose to put the sign because we think it will actually be informative.

Sovel – On the north elevation, where you have the Jiffy Lube logo, the wording Jiffy Lube, and then below that Multicare. Are those multiple signs, or is that one sign?

Mr. Pisko – It's considered one 38 square foot sign.

Sovel – And the part that says, "Tires, Brakes...", those, Paula, are allowable because they're ...

Paula Lankford – They're allowed, that's correct. We don't even look at those.

Sovel – Which one is really putting them over?

Paula Lankford – Basically, they were asking for one additional sign. [audio was cutting in and out].

Chairperson Rosman – Paula, you're breaking up.

Paula Lankford – Initially, they were asking for three additional signs. Now they're asking for one.

Sovel – Which one, that's what I'm trying to figure out.

Paula Lankford – The north side. They are allowed to have the east side.

Chairperson Rosman – Aren't they asking for north and south.

Paula Lankford – No, they got rid of that.

Mr. Pisko – If I can help Paula here, the south side sign has been completely removed because it's completely obscured by the living screen.

Chairperson Rosman – Oh, okay. You're asking for east and north signs, is that correct?

Mr. Pisko – Yes.

Sovel – So you're allowed two, and you're asking for three?

Paula Lankford – No.

Chairperson Rosman – They're allowed one.

Sovel – So just one in this.

Mr. Pisko – Just one, which only serves northbound traffic. We're asking for a second sign on the north side to serve southbound. Not having a monument sign, no pun intended, makes a monumental difference.

Sovel – Okay, I think I'm good for right now.

Chairperson Rosman read the requirements for a sign exception.

Mills – Is this sign going to be constructed and bolted to the surface of the wall, or is it something that is painted on?

Mr. Pisko – These are individual channel letters. They about 4” deep and LED internally illuminated. They are attached to the building individually. They are not painted. This is a letter set.

Mills – Okay, so all the words, each individual letter of the word is going to be illuminated and attached to the building, is that correct?

Mr. Pisko – That’s correct, and our hours are 07:00 to 20:00, or 8:00pm. In Michigan, as we all well know, during the winter months, it gets dark at 5:00pm. That’s when you’ll recognize the illumination.

Mills – The request that you have is to add one additional sign on the north side of the building, above the door, which looks like a pedestrian door entrance, is that correct?

Mr. Pisko – That’s correct.

Mistele – My thought is, I think the north elevation does have better visibility than the east elevation. I'm not sure the east elevation has all that much visibility. The minimum we could do potentially is just allow them to put the sign on the north elevation, as opposed to having it on east where it would have a little bit more visibility. I wouldn't be opposed to considering an option like that. I'm just not sure if the need for two signs is really being met.

Chairperson Rosman – Okay, I’d like to ask Paula a question. If I'm correct, Matt just told us that they’re going to have illuminated numbers telling me hours of operation. Is that correct?

Sovel – No.

Mills – No, I think he mentioned the typical hours where illumination is on.

Chairperson Rosman – Oh, I was confused. I understand, the lighting will only be during the darker hours in other words. I do understand that the Planning Commission and Jiffy Lube worked long and hard to give and to get, and Commerce Township is getting. There's going to be a sidewalk that’s going to be a gift from Jiffy Lube. Matt, can you tell us where that sidewalk is going to go?

Mr. Pisko – It will go along our entire frontage here. It will be rather meandering to fit on the outside of this landscaping. We haven't worked the details out.

Chairperson Rosman – Will it go anywhere?

Mr. Pisko brought up the rendering on the screen.

Chairperson Rosman – It’s going from Crumb Road all the way up to where you are.

Mr. Pisko – Yes.

Chairperson Rosman – That’s one thing that was a “gift”, and how much we appreciate that you were able to agree to an all brick building. It’s a very positive thing for Commerce Township and it makes you a very good neighbor.

Bob, I understand what you’re saying, but the one thing that Matt pointed out that we have to be cognizant of is trees grow. That’s an issue that we run into all the time, especially along Haggerty Road.

I have no objections to this, but I do want to tell Jiffy Lube how well you worked with Commerce Township, and I’m sure the Planning Commission and the Zoning Board all agree. It is a very good thing.

Sovel – To me they’re entitled to two signs, and what I mean by that is, if this was not in a parking lot of Meijer, and this was their own piece of property, they would be able to have another sign out near the road.

Chairperson Rosman – A monument, yes.

Sovel – Because of the way our ordinance is written right now, they’re not able to get that because Meijer has it. To me, they’re entitled to two signs. We could probably talk to Dave and see if there is wording for an event like this. They shouldn’t be harmed because this is within an existing piece of property. We’ll see if they can come up with some wording that could allow a second sign, if someone chooses to, or voluntarily or involuntarily is not able to have a monument sign. That’s why, to me, they’re entitled to two signs. I understand the variance wording is different.

Chairperson Rosman – The other point that I want to add to yours is that we are delighted that Jiffy Lube is building and occupying this building, but God forbid down the road, they are not the occupants, the next occupant of the building is going to have a very similar issue of signs being seen. The way the landscaping requirements are for Meijer, they can’t put out a monument sign. Am I correct, Paula?

Paula Lankford – They are not entitled to a monument sign.

Chairperson Rosman – They’re not entitled to a monument sign at all because they’re within the Meijer property.

Paula Lankford – Correct.

Chairperson Rosman – That’s why Goodwill can’t have a monument sign.

Sovel – It’s takes three out of four on the vote.

Chairperson Rosman – We need three of the four of us to approve this tonight, because Bill is not able to vote on this, and we do not have an alternate with us this evening.

MOTION by Mills, seconded by Sovel, to approve Item PA21-02, the request by Jiffy Lube International, Inc. of Houston TX for sign exceptions from Article 30 of the Commerce Township Zoning Ordinance to exceed the number and square footage allowed for wall signage located on the west side of Haggerty Road in an outlot of the Meijer store at 1703 Haggerty Road. Sidwell No.: pt. of 17-25-426-014

Based on the presentation and the comments we have heard, I believe the applicant has satisfied the standards of Section 30.09 of the Township Zoning Ordinance for granting Sign Exceptions from Article 30 of the Zoning Ordinance, and therefore, I make a motion to approve exceptions for PA21-02, Jiffy Lube, located at 1545 Haggerty Road as follows:

1. A second wall sign where one wall sign is permitted; and,
2. Total combined wall sign area of 76 square feet, where 42 square feet is permitted; and,
3. A wall sign on the non-addressed side of the building, which would be the north side.

Approval is for the following reasons:

- A. The trees are going to grow and they're going to block the view of the permitted sign on the east side of the building; and,
- B. A conforming sign would not be visible to passing motorists; and,
- C. A conforming sign would require significant tree removal; and,
- D. It will not be adverse to the character or appearance of the surrounding buildings, properties or neighborhood; and,
- E. This is the least amount necessary to reasonably accomplish the sign's purpose; and,
- F. This does meet the intent of the sign ordinance, to preserve the aesthetics, natural surroundings, and public safety of the area; and,
- G. The exception would not result in a sign that is significantly contrary to this intent and purpose.

ROLL CALL VOTE

AYES: Mills, Sovel, Rosman, Mistele

NAYS: None

ABSTAIN: McKeever

MOTION CARRIED

Chairperson Rosman – Matt, it was a pleasure, and again we thank you from the community for a lovely building and how well you worked with the Planning Commission. I know how much everybody appreciated that.

Mr. Pisko – It has been a pleasure and we look forward to our continued relationship. Thank you very much.

Chairperson Rosman – You're welcome. When do you believe construction will begin?

Mr. Pisko – As soon as humanly possible, in 2021.

Chairperson Rosman – The same thing applies to you as the first petitioner. You will get a letter from the Planning Department, anywhere from 5-10 days, and you'll need to take that to the Building Department.

Mr. Pisko – Okay, and thank you to Ms. Lankford and Mr. Campbell for helping us organize our thoughts. It's been a pleasure. Thank you.

Chairperson Rosman – You are so welcome. They are really very good at this!

Mr. Pisko – Yes, they are.

H. OTHER MATTERS:

Sovel – I will say that Dave Campbell and Paula too, because we really know she runs the place, made a concerted effort to try to get an alternate for tonight's meeting, but it did not work out.

Chairperson Rosman – We'll try again next meeting.

Mills – I have a question for Paula. Is the intent going forward that we get our information just by email, or will we be getting packets?

Paula Lankford – I will give you a packet, Clarence. There's a few of you that want a hard copy and some want electronic, but I will get you a hard copy.

Mills – Okay, for me it's easier to read, because I read those 38 pages of last month's minutes, and that would be a nightmare trying to read that on my phone screen.

I. CORRESPONDENCE:

None.

J. PLANNING DIRECTOR'S REPORT:

Paula Lankford would email the report to the ZBA members as her audio was cutting out.

Chairperson Rosman – I would like to congratulate Deb on her appointment as Interim DDA Director. We know how much Mark has helped you learn all the way along, and we so look forward to having you continue all the good work that the DDA does.

Ms. Watson – Thank you, Rusty.

Chairperson Rosman – You're welcome. You wear a lot of hats and you do it beautifully.

K. ADJOURNMENT:

- **NEXT REGULAR MEETING DATE: MAY 27, 2021 (potentially electronic only)**

MOTION by Mills, supported by Rosman, to adjourn the meeting at 7:58pm.

ROLL CALL VOTE

AYES: Mills, Rosman, McKeever, Mistele, Sovel

NAYS: None

MOTION CARRIED UNANIMOUSLY

Robert Mistele, Secretary