

**MINUTES  
CITY OF FARMINGTON HILLS  
ZONING BOARD OF APPEALS  
CITY HALL – COUNCIL CHAMBER  
MARCH 10, 2015**

**CALL MEETING TO ORDER**

Chair Seelye called the meeting to order at 7:30 p.m. and made standard introductory remarks explaining the formal procedure, courtesies and right of appeal.

**ROLL CALL**

The Recording Secretary called the roll.

Members present: Barringer, Lindquist, Masood, Rich, Seelye, Stevens and Vergun

Members Absent: Paramesh

Others Present: Attorney Morita and Zoning Division Supervisor Randt

**SITE VISIT MARCH 8, 2015**

Chair Seelye noted when the Zoning Board of Appeals members visited the site.

The Sunday site visit begins at 9:00 a.m. at City Hall. It is an advertised open, public meeting under the Open Meetings Act, is only for informational purposes; the Board members abstain from any action, hearing testimony, or any deliberations.

**APPROVAL OF AGENDA**

There were no changes to the agenda.

**MOTION** by Stevens, support by Vergun, to approve the agenda as published.

**MOTION CARRIED 7-0**

**NEW BUSINESS:**

A. ZBA CASE: 3-15-5554  
LOCATION: 32805 Northwestern Highway  
PARCEL I.D.: 23-02-108-003  
REQUEST: In order to install a new freestanding sign in a B-3 zoning district, a special exception of 10 feet from the minimum required 15 foot street setback is requested.  
CODE SECTION: 34-5.5.3.B.M.  
APPLICANT: Metro Detroit Signs  
OWNER: Robert D. Kramer - Enterprise Rent-A-Car

Zoning Division Supervisor Randt discussed the location of the property and presented an aerial map of the site, photos of the existing sign and neighboring property's sign, sketch and mockup of the proposed sign and a site plan showing the location of the proposed sign.

Paul Deters, 23544 Hoover, Metro Detroit Signs, explained that the reason for this request is because the existing vertically oriented monument sign is ineffective, hard to read and does not fit

the branding that goes along with Enterprise, as the logo is typically horizontal. He added that the Enterprise building sits further off the road than the building immediately to the north, therefore, particularly for southbound traffic, the building is difficult to identify and does not give perspective clients time to change lanes, if needed, and slow down to enter the site. He added that many people miss the entrance and pull into the lot to the south and walk across the grass to access Enterprise because it is too difficult to get back on Northwester Highway and turn around, and the owner of the new hotel development gives Enterprise a hard time for people walking on the grass. He stated that when they were looking at a new ground sign, they wanted to keep within the limits of the ordinance, however, because of the irregular shape of the property in order to maintain the 15 foot setback requirement they would have to move further south and the sign would no longer be able to be perpendicular to the road, resulting in a skewed angle which would defeat the purpose of what they are trying to do. He explained that a panel test had shown that the proposed location and orientation is the optimal location and viewing angle for the sign and for these reasons, they would appreciate any consideration the Board has to enable them to place the sign as shown.

Chair Seelye mentioned that there are large signs on the building itself and questioned if those signs would be coming down. Mr. Deters responded that if the Board were to grant this request, as a concession, Enterprise would be willing to remove the wall sign on the north elevation of the building, facing Northwestern Highway, but they would like to keep the sign on the south elevation of the building because for northbound traffic a sign that is higher up on the south side is easier to see than a low level ground sign.

Chair Seelye commented that he has concerns with safety; if someone were pulling out of the Enterprise driveway and there is a pedestrian walking on the sidewalk, if the driver only looks left at the southbound traffic and no one is coming they will pull out into the road without looking to the right for pedestrians, therefore, the pedestrian has the potential of being hit by a vehicle that is pulling out of the Enterprise driveway.

Mr. Deters stated that he agrees that safety is a concern, however, the sign, as proposed, is further from the entrance drive than the existing sign and there will be roughly 20-25 feet from where the driveway is to the beginning of the sign and that would fall well outside of what most municipalities require for their corner triangle clearance for vehicular traffic.

Member Lindquist asked if the applicant considered other locations for the proposed signage and questioned if the sign could be located on the north side of the building as that would alleviate some of the safety concerns. Mr. Deters responded that there is not enough room on the north side to meet setback requirements either and they would like to keep the sign as far south as possible so that it is farther away from the building, on the south side of the driveway, which will allow it to be easier for people to identify.

Member Lindquist questioned if the applicant would have the same problem as they do now of clients pulling into the incorrect driveway, if the proposed sign is located past the driveway.

Mr. Deters responded that the proposed sign will be visible from a much greater distance and the existing sign is difficult to identify as an Enterprise sign since it is vertical.

Member Barringer commented that he too is concerned with safety and he understands that this size of sign would have to be angled in order meet the setback requirements and asked if the applicant has looked at alternative horizontal signs not as large and that could meet the setback

requirement. Mr. Deters responded that they wanted something that fits within the constraints of the ordinance and certainly there are smaller options, however, Enterprise is a long word and the length of verbiage fills up the 60 square foot space. He stated that if the 5 feet from the setback is not enough they could come back further but the reason they did not propose to do so was because if the sign is too close to the curb line and someone comes in too fast off Northwestern Highway they could potentially hit the sign, and also when the snowplow comes through the parking lot they could hit the sign, therefore, they wanted to make sure the sign was a few feet off the curb line.

Member Masood questioned if there was any ordinance pertaining to dimensions, length and total area for signs such as the proposed sign. Zoning Division Supervisor Randt responded that for B-3 zoning districts they are allowed to have a sign that is 64 square feet and a height of 8 feet.

Member Rich questioned, with the hotel being built and the location of the current Hellas sign, if there was going to be a directional ground sign pointing into the driveway or will there be some other identifying sign for the hotel and, due to the odd shapes of the properties, where the sign would be located. Zoning Division Supervisor Randt responded that he did not know if anything has yet been submitted for the hotel signs.

Member Lindquist questioned the height of the existing vertical sign. Mr. Deters responded that the height of the existing sign is 10 feet.

Member Lindquist commented that he is still not getting a sense of proportion of the proposed sign and he agrees with Chair Seelye that there are issues with safety because the proposed sign does obscure the visibility of a vehicle pulling out of the parking lot.

Member Lindquist questioned if the proponent would consider a lesser relief, if the Board was inclined to grant the exception, particularly with respect to the height of the sign, limiting it to 4 feet. Mr. Deters responded stating that was a reasonable request, however, they would prefer to keep the sign at least 8-10 inches off the ground, out of the snow and away from landscaping equipment, and asked if a 5 foot overall height would be ok with the Board.

Member Lindquist commented that there is a ratio of height to width as far as the size and shape of the logo, so if the sign were reduced it would have to be reduced proportionately and that would alleviate somewhat of the problem because there would be a shorter blind spot on the passenger side of the vehicles that are emerging from the lot. He added that the applicant should know the ratio calculation and, therefore, knows how to reduce the height and width leaving adequate amount of space underneath the sign to avoid being blocked by snow, etc.

Mr. Deters explained that the white area at the bottom of the proposed sign is pedestal, not part of the logo, so they would have to reduce the length of the sign if they were to reduce the height of the letters.

Member Lindquist stated that he agrees and if the overall sign was reduced in height, in order to keep the proportion of the logo, the sign will have to be reduced in width and it is his understanding that the response was that the applicant would be willing to consider building a smaller sign, if the Board were inclined to grant lesser relief than what is requested.

Melissa Merchant, 29301 Grand Avenue, Enterprise Rent-A-Car, explained with regard to the height of the sign, the white area on the bottom of the sign is a base/pedestal for the sign to sit on

and they would be willing to consider removing the pedestal, which measures 2 feet 6 inches in height, and perhaps leaving 6 inches at the bottom to rest the sign above the ground which would put the sign just over 4 feet in height, and not reduce the overall length.

Chair Seelye asked if the proponent was willing to move the sign back toward the parking lot. Ms. Merchant responded that they would be willing to give up 2-3 feet in order to move the sign back but they would like it to be close to the 10 foot mark purely for the visibility that it would afford them.

Chair Seelye commented that he understands but his concern is that during his site visit, the car pulling out of the driveway only looked to the left to see the southbound traffic, they did not stop at the stop sign and never looked to the right until they were on Northwestern Highway.

Ms. Merchant stated that she understands the concern and unfortunately she would not have much control over that but it is certainly something that they would speak to their employees about to ensure that pedestrians are not in any danger.

Chair Seelye opened the public portion of the meeting.

Dan Lehman, 31350 Telegraph Road, stated that he represents New Hellas Authentic Greek Cuisine and has been authorized by the owner of the incoming Holiday Inn Express to speak on their behalf as well. He explained that the proposed sign would preclude Hellas properly placed sign from any vision as you are heading southbound on Northwestern Highway, traffic would not be able to see the Hellas sign until they were right upon it and this will become more of an issue with the additional traffic from the Holiday Inn Express. He added that the Enterprise rental car business has been there 10-20 years with the same sign and when his clients purchased the Hellas property they did it in reliance with what was there and if the Holiday Inn Express puts up an entrance sign it will not be seen until you have past it and it is because of this negative effect the proposed sign would have on Hellas, as well as Holiday Inn Express, they ask that this request be denied.

Chair Seelye questioned what type of sign the Holiday Inn Express will have. Mr. Lehman responded that he spoke to the person with that knowledge and they were not sure because of the proposed Enterprise sign, as this proposed sign will make a mess of their decision on what kind of sign to have for the hotel and where to place it.

Member Lindquist indicated that he had issues with Mr. Lehman's comments and that approximately three years ago the Board granted a special exception for the Hellas sign, allowing it to be that size and dimension and he believes that the Holiday Inn and Hellas are on one zoning lot or Planned Unit Development and his presumption was that they were working together on a sign. He added that the large Hellas sign was granted to both RJ's, when it was there, and Hellas, therefore, the statement that was made that his client relied on the sign in buying the property and establishing the restaurant really does not have anything to do with the proposed sign request. He noted that Hellas sign is 8 feet in height which is considerably taller than the proposed sign.

Member Lindquist asked, with regard to the proposed configuration of the Enterprise sign, why Mr. Lehman believes that a sign that is 6 foot or shorter will obscure a sign that is 8 feet in height. Mr. Lehman responded that when you are driving southbound it will obscure the Hellas sign since there is too little distance between the signs, which is shown in the photo taken from the road in which he provided to the Board.

Member Lindquist commented that the photo was taken from the sidewalk and the roadway is a considerable distance from the sidewalk, therefore, the Hellas sign would not be obscured if you are traveling on the roadway. He added that besides from pedestrian traffic he does not see that it is geometrical feasible to block the Hellas sign.

Member Stevens questioned if the size and location of the Hellas sign is similar to the previous signs. Mr. Lehman responded that he believes that it is.

Mr. Deters explained that because the Hellas sign is 50-75 yards south of the Enterprise sign, the proposed sign would not block or obscure traffic.

Member Rich questioned if the rebar that is placed depicting the proposed location of the sign is at the approximate height of the proposed sign. Mr. Deters responded that he does not know the exact height of the rebar, however, they put sheets of plywood up, measuring 4 feet by 8 feet, to get a perspective of what the height would be. He provided photos of the plywood set in place to the Board.

Member Stevens asked if they have done any analysis of the lines of sight traveling south on Northwestern Highway. Mr. Deters responded that the Hellas sign is twice the height and significantly more in area than the proposed sign and, as seen in the photos provided, the vast majority of the Hellas sign can still be seen.

Member Stevens indicated that the photos are not really from a driver's perspective.

Zoning Division Supervisor Randt asked why the applicant cannot locate the sign at the 15 foot setback. Mr. Deters responded that the sign would be too long to maintain its perpendicular orientation to the road at the required setback.

There being no further public comments, Chair Seelye closed the public portion of the meeting.

Member Stevens confirmed there was an affidavit of mailing on file with 7 returned mailers.

Member Rich explained that as he drove up and down Northwestern Highway, from the prospective of being in a car, it seemed that the Hellas sign as you got closer, was completely un-obscured and even from a farther distance back on the roadway it appeared at least the word Hellas would be visible. He explained that he is inclined to adjourn this case as he would like to see an actual rendering of the proposed sign in the proposed location in order to determine the effect the sign will have on the Hellas sign and on the visibility of pedestrians because, unfortunately, with just the rebar in place it makes it very difficult to gauge the true visibility and effect of the proposed sign.

Member Stevens commented that he agrees with Member Rich as the Board has raised many questions and concerns and, if the petitioner is willing, he feels that another site visit will answer some of these questions.

Attorney Morita explained that if the Board is considering making a motion to adjourn, it would be helpful to ask the proponent if they agree to the adjournment and to adjourn the case to a date certain so that it does not have to be re-noticed.

Member Lindquist asked if the proponent would prefer the Board make a decision this evening or adjourn the case to a date certain, that being the next Zoning Board of Appeals meeting of April 14, 2015. Mr. Deters responded that he would be happy to provide a temporary rendering of the sign to scale and have it set in the ground to provide an opportunity for the Board to view and take photos. He asked what date the rendering would need to be in place.

Member Lindquist stated that the Board requests that the rendering be in place by the next site visit date, that being April 12, 2015 and that it remains in place until the time of the next meeting in the event that a member is not able to make the site visit.

Zoning Division Supervisor Randt asked if the Board would like the proponent to put up a 4 foot or 6 foot sign.

Member Lindquist stated that his preference would be to have gridlines on the plywood so they have an idea of what smaller sizes would look like and that the plywood be located at the required setback.

Zoning Division Supervisor Randt stated for clarification that the Board is requesting two signs, one at the setback and one at the requested location, at a height of 6 feet with gridlines indicating where 4 feet would be.

Member Rich commented that his only concern with having gridlines on the plywood is that, as they are driving down Northwestern Highway to determine the visibility, if there is only a rendering at the 6 foot height, the views at a 4 foot size will still be blocked.

**MOTION** by Rich, support by Lindquist, to ADJOURN the consideration of ZBA Case 3-15-5554 to a date certain, that being the Zoning Board of Appeals meeting of April 14, 2015, in order for the proponent to place two (2) temporary renderings of the proposed sign; one in the proposed location and one at the required setback, so that the Board may inspect the renderings in person in order to determine any potential sight obstructions.

**MOTION CARRIED 5-2**

#### **APPROVAL OF FEBRUARY 10, 2015 MINUTES**

**MOTION** by Rich, support by Lindquist, to approve the Zoning Board of Appeals meeting minutes of February 10, 2015, as revised for grammatical changes per the redlined copy provided to the Recording Secretary and Board.

**MOTION CARRIED 7-0**

#### **PUBLIC QUESTIONS AND COMMENTS**

There were no public comments.

#### **BY-LAWS DISCUSSION**

Attorney Morita explained that due to the decline in the number of cases that the Board has been seeing, staff has suggested that it would be best to allow the Chairs and Officers to sit in their position for a minimum of two years, rather than the current one year limit, as it takes about that time, at this rate of cases, to get acclimated to those positions. She noted that the by-laws allow for flexibility and if the Board agrees to a two year term limit, the by-laws will not need to be

amended since they do not state term limits. She added that if the economy picks up and the Board starts to see more cases, or if there is a change in the dynamics of the Board, the by-laws and term limits can be revisited at that time.

Discussion took place regarding the Zoning Board of Appeals By-Laws, the process of electing the Chair and Officers and the term length for those positions. There was a consensus among the Board members to allow the Chair and Officers to run for a second term without amending the by-laws. No formal motion was made.

**ADJOURNMENT**

**MOTION** by Vergun, support by Masood, to adjourn the meeting at 8:42p.m.

**MOTION CARRIED 7-0**

Respectfully submitted,

James Stevens, Secretary  
Zoning Board of Appeals

/ceh