

CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING AGENDA
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, JULY 8, 2015 6:30 PM
TOWN HALL ROOM

A. CALL MEETING TO ORDER

B. APPROVAL OF AGENDA

C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

- o Wednesday June 24, 2015

D. UNFINISHED BUSINESS

E. NEW BUSINESS

1. ZBA CASE NO. 15-07-08-1, HIGGINS ELECTRIC SIGN COMPANY, 4100-A HUNSACKER STREET, EAST LANSING, MI 48823

DESCRIPTION:	2049 Grand River Avenue
TAX PARCEL:	21-276-006
ZONING DISTRICT:	C-2 (Commercial)

The applicant is requesting variances from the following sections of the Code of Ordinances:

- Section 86-687(3)a., which states one wall sign shall be permitted and may be located flat against the building's front façade or parallel to the front façade on a canopy. For businesses with frontage on more than one public street, two signs may be permitted. In no case shall more than one wall sign be located on a façade and no wall sign shall be located on a rear façade.
- Section 86-687(3)c., which states in the case of multitenant structures, one wall sign shall be permitted for each tenant having an individual means of public access up to a size equivalent to one square foot for each one lineal foot of building frontage occupied.
- Section 86-687(4)a., which states one freestanding sign per parcel shall be permitted, except a site with 500 feet or more of contiguous frontage on one street and more than one point of access on that street may have one additional freestanding sign. If two freestanding signs are located on a site based on this provision, a minimum 250 feet shall separate the two signs.

The applicant is requesting variances to allow two wall signs on the front façade; install a wall sign on the front façade that exceeds the allowed square footage; install a wall sign on a side of the building that is not the front façade and public access is not provided; and install a second freestanding sign, for the Jimmy John's restaurant, to be located in the proposed multi-tenant retail building, at 2049 Grand River Avenue, Okemos, MI.

2. ZBA CASE NO. 15-07-08-2, K & H PROPERTIES, L. C., 3782 THISTLEWOOD, OKEMOS, MI 48864

DESCRIPTION: 2356 Science Parkway
TAX PARCEL: 28-176-033
ZONING DISTRICT: RP (Research Park)

The applicant is requesting variances from the following sections of the Code of Ordinances:

- Section 86-434(f)(5)b., which states the rear or side yard setback is ten percent of the width and depth respectively of the lot, but need not exceed 40 feet each nor shall they be less than ten feet.

The applicant is requesting a variance to allow an existing structure (enclosed walkway) to be located zero feet from the side (east) lot line and the required setback is 40 feet, at 2356 Science Parkway, Okemos, MI.

3. ZBA CASE NO. 15-07-08-3, BIG RAY'S EXPRESS LUBE, 2700 E. GRAND RIVER AVENUE, SUITE 1, EAST LANSING, MI 48823

DESCRIPTION: 2700 E. Grand River Avenue, Suite 1
TAX PARCEL: 17-460-003
ZONING DISTRICT: C-2 (Commercial)

The applicant is requesting variances from the following sections of the Code of Ordinances:

- Section 86-687(4)a which states which states one freestanding sign per parcel shall be permitted, except on a site with 500 feet or more of contiguous frontage on one street and more than one point of access on that street may have one additional freestanding sign. If two freestanding signs are located on a site based on this provision, a minimum of 250 feet shall separate the signs.

The applicant is requesting a variance to allow a second freestanding sign at 2700 E. Grand River Avenue, East Lansing, MI.

- ☛ Variance requests may be subject to change or alteration upon review of request during preparation of the staff memorandum. Therefore, Sections of the Code of Ordinances are subject to change. Changes will be noted during public hearing meeting.

F. OTHER BUSINESS

G. PUBLIC REMARKS

H. BOARD MEMBER COMMENTS

I. ADJOURNMENT

J. POST SCRIPT – CAROL OHLROGGE

Information regarding the request may be examined at the Department of Community Planning and Development, 5151 Marsh Road, Okemos, Michigan 48864-1198, between the hours of 8:00 am and 5:00 pm, Monday through Friday. Comments may be made in writing addressed to the Zoning Board of Appeals at 5151 Marsh Road, Okemos, MI 48864 or may be made at the hearing.

BRET DREYFUS
TOWNSHIP CLERK

ZONING BOARD OF APPEALS PUBLIC HEARING PROCEDURE

Persons wishing to address the topic of a scheduled public hearing are encouraged to present their remarks during the public hearing portion of the Zoning Board of Appeals meeting. **If you do intend to speak before the Zoning Board of Appeals please sign in at the door.** During a public hearing, the following order shall be used:

1. Township Staff Review
2. Comments by the applicant or applicant's designee(s)
3. Comments by other persons
4. Applicant rebuttal
5. ZBA members discuss the case. If necessary, the applicant may be asked to respond to questions from the ZBA members
6. Action by the ZBA

Persons wishing to appeal a decision of the Zoning Board of Appeals shall do so in accordance with Michigan Court Rules of Appeals to Circuit Court MCR 7.101.

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**CHARTER TOWNSHIP OF MERIDIAN
ZONING BOARD OF APPEALS MEETING MINUTES**DRAFT**
5151 MARSH ROAD, OKEMOS, MI 48864-1198
(517) 853-4000
WEDNESDAY, JUNE 24, 2015**

PRESENT: Members Hershiser, LeGoff, Jackson, Ohlrogge, Chair Beauchine
ABSENT: None
STAFF: Mark Kieselbach, Director of Community Planning and Development
Martha Wyatt, Associate Planner

A. CALL MEETING TO ORDER

Chair Beauchine called the meeting to order at 6:30 p.m.

B. APPROVAL OF AGENDA

MEMBER HERSHISER MOVED TO APPROVE THE AGENDA AS WRITTEN. SECONDED BY MEMBER LEGOFF.

VOICE VOTE: Motion carried unanimously.

C. CORRECTIONS, APPROVAL & RATIFICATION OF MINUTES

Wednesday, June 10, 2015

MEMBER OHLROGGE MOVED TO APPROVE THE MINUTES AS WRITTEN. SECONDED BY MEMBER LEGOFF.

VOICE VOTE: Motion carried unanimously.

D. UNFINISHED BUSINESS (None)

E. NEW BUSINESS

1. ZBA CASE NO. 15-06-24-1 MF OKEMOS, LLC, 2165 LOUISA DRIVE, BELLEAIR BEACH, FL 33786

DESCRIPTION: 2049 Grand River Avenue
TAX PARCEL: 21-276-006
ZONING DISTRICT: C-2 (Commercial)

The applicant is requesting variances from the following sections of the Code of Ordinances:

- Section 86-402(17), which states the maximum percentage of impervious surface permitted on a site shall be 70 percent. Impervious surfaces shall include all land covered with paving and buildings. The impervious surface ratio is calculated by dividing the total impervious surface by the gross area of the site. The following areas shall be counted as pervious surfaces: required perimeter landscaped buffers; fifty percent of onsite detention and retention basins above design level, if designed as an integral part of the site landscaping, providing that the side slope of such basins shall not be steeper than 4:1 (horizontal:vertical); parking lot islands and medians that are 20 feet or greater in each dimension and used for landscape plantings.
- Section 86-721, which states every building housing a retail use and having over 500 square feet of gross floor area shall be provided with at least one truck standing, loading, and unloading space on the premises not less than 12 feet in width, 25 feet in length, and 14 feet in height.

- Section 86-755, which outlines the off-street parking standards, and requires 5 to 5.5 parking spaces per 1,000 square feet of gross floor area for a retail use.
- Section 86-756(14), which states where a parking area, or its associated internal access or service drives, adjoins the same or any other nonresidential district, a landscaped buffer, at least 15 feet wide, shall be provided between the parking area and the property line. A vertical screen shall be erected consisting of a masonry wall, plant material, a landscaped berm, or a combination thereof, as appropriate for the site, no less than three feet in height.

The applicant is requesting variances to provide less than the required number of off-street parking spaces; provide landscaped buffers (east and west sides of site) that do not meet the required 15 foot width; exceed the maximum allowed impervious surface coverage of the site; and eliminate a loading/unloading space for the proposed multi-tenant retail building, to be located at 2049 Grand River Avenue.

Associate Planner Wyatt outlined the case for discussion.

Matthew Hagerty, Myers & Myers, PLLC, 915 North Michigan Avenue, Howell, attorney for the applicant, offered history of the proposed project as it moved through the Township's processes. Relative to the loading/unloading zone, he noted the plan shows a designated space in front of the dumpster, adding the mattress store is primarily a showroom, with inventory delivered during off-business hours. Mr. Hagerty added Jimmy John's food service and supplies delivery will take place during non-customer hours. He indicated the variance for one less parking space is being requested to accommodate the Township Board's desire to maintain existing mature trees on the site. Mr. Hagerty stated some landscape buffering will be added to what currently exists on the east and west sides. He noted technical requirements necessitate including 50% of the detention basin in the impervious surface calculation. Mr. Hagerty added that on a gross square footage basis, the 70% is met, but under the strict interpretation of the ordinance there is 70.5% impervious surface, .5% more than allowed; thus, a waiver for .5% impervious surface is being requested.

Member Hershiser requested, with the assent of the other ZBA members, to handle each variance separately.

Member Hershiser indicated the "spirit" of the ordinance relative to buffering is typically to protect land which backs up to PO or residential. He did not see a problem with the requested landscape buffering.

Supervisor LeGoff voiced her agreement with granting the landscape buffering variance.

Member Beauchine inquired about the service drive which the tenant to the west (Heat and Sweep) uses.

Associate Planner Wyatt responded the applicant is working on a cooperative access agreement with the owner of Heat & Sweep to formalize what has transpired over the last 30 years of use with the prior owner. She noted the applicant has completed an access easement with Meijer.

Member Beauchine added he believed the landscape buffer offered by the applicant is much improved from the existing buffer, expressing appreciation for saving the trees.

MEMBER HERSHISER MOVED TO APPROVE THE VARIANCE FROM SECTION 86-756(14). SECONDED BY CHAIR BEAUCHINE.

Member Hershiser believed, from a safety standpoint, the Police Department would be desirous of eliminating some of the buffer. He pointed out there is commercially zoned property surrounding the subject area.

Member Ohlrogge expressed appreciation for all the work that has been put into improving this project. She inquired if it would be possible to adjust the area under the bicycle racks to be made of pervious material to increase pervious surface coverage .5%, especially given the fact the proposed site is ½ block from the biggest flooding area in Meridian Township (intersection of Grand River and Okemos Road). Member Ohlrogge spoke to the need to do everything possible to help alleviate water issues in the area.

Mr. Hagerty responded there were discussions about the type of pervious material used on site for better drainage, but given the recent harsh winter with additional plowing, there was concern about the use of material which would wear easily and become an eyesore for the entrance off Grand River Avenue.

Member Ohlrogge asked staff to comment on the quality of pervious material used for porous pavement in other projects within the Township.

Associate Planner Wyatt responded a recent example was the use of pervious pavers for an entire row of parking by MSU Federal Credit Union at its Jolly Road branch.

Member Ohlrogge inquired if she should assume the porous material used by the MSU Federal Credit Union was of poor quality and would fall apart.

Associate Planner Wyatt responded she is not an expert on porous materials, but acknowledged their use on other projects within the Township. She could not attest to the "wear" factor over time. She noted the applicant for the Lodges of East Lansing also installed porous pavement strips as part of the stormwater management plans.

Steven Alafazanos, MF Okemos, LLC, 2165 Louisa Drive, Belleair Beach, Florida, representing the applicant, indicated the current site does not have any inlets or piping other than the entire property sheet flowing towards the front where a small retention area basin is located. He explained the proposed stormwater management on site will consist of stormwater inlets and piping as well as enlarging the current retention pond and adding a swale. Mr. Alafazanos believed he is proposing far more drainage capacity on the site and the outfall will be less than what is currently leaving the site. He believed adding pervious parking for stormwater will have little effect as the proposed project will take maximum capacity off site and hold it for as long as possible. Mr. Alafazanos noted the addition of pervious pavement would not be counted as open space and would not qualify to decrease impervious surface.

Chair Beauchine stated he was trying to ascertain what .5% of pervious surface represented. He expressed appreciation that most of the water will be contained on site. Chair Beauchine voiced support for the landscape buffer variance. He suggested including the impervious surface variance as a friendly amendment to the main motion.

Member Hershiser expressed his preference to vote separately on each variance. Member Ohlrogge advocated discussing each item prior to voting as they are interrelated, but vote independently on each variance.

ROLL CALL VOTE: YES: Members Hershiser, Jackson, LeGoff, Ohlrogge, Chair
Beauchine
NO: None
Motion carried unanimously.

Member Hershiser believed when there is a shortage of parking spaces, the business is what suffers, not the general public.

MEMBER HERSHISER MOVED TO APPROVE THE VARIANCE FROM SECTION 86-755.
SECONDED BY MEMBER JACKSON.

Member Ohlrogge felt uncomfortable eliminating one parking space as it is not known what type of business will locate there in the future. She stated lack of the required parking spaces could sabotage future businesses.

Member Jackson believed the request for one less parking space to be a minor variance in that there are many parking spaces nearby and parking can be "made up", when necessary, through cooperative agreements. She believed the design of the proposed project indicates not many cars will be parked in the lot at one time. Member Jackson shared she is always looking for ways to eliminate parking spaces which make sense.

Member Hershiser, while agreeing with Member Ohlrogge future business uses are unknown, believed future business owners would research whether available parking would "fit" their business traffic.

Director Kieselbach added parking standards are calculated using gross floor area, as future uses and future number of tenants would be unknown.

ROLL CALL VOTE: YES: Members Hershiser, Jackson, LeGoff, Chair Beauchine
NO: Member Ohlrogge
Motion carried 4-1.

Member Hershiser believed the requested variance from Section 86-721 is more of a constraint on the business(es), with no effect on the public. He stated business owners are the best determinates of when to schedule deliveries and would run their business(es) as effectively and efficiently as possible.

MEMBER HERSHISER MOVED TO APPROVE THE REQUESTED VARIANCE FROM
SECTION 86-721. SECONDED BY MEMBER LEGOFF.

Member Ohlrogge stated if the ordinance stressed the importance of a loading and unloading space for a retail building of 500 feet of gross floor area, it would be critical for the proposed building of 6,000 feet. She stated reduction in the size of the building could accommodate an appropriately sized loading dock.

Member Jackson agreed with Member Ohlrogge, indicating future uses of the building will have need for a loading and unloading dock.

Chair Beauchine believed the type of business will drive accommodation, adding he recalled other buildings within the same zoning district (e.g., Meridian Crossings) where no loading/unloading docks were present. He noted many restaurants post signs to limit delivery times. He questioned trying to place a 12' x 25' x 14' loading dock on property with this lot width.

Member Hershiser stated there is a vacant building currently on the property, and he views this as a redevelopment project on a small lot along the Grand River corridor. He believed any future occupant will be aware of whether the building has a loading dock located on the premises.

Member Ohlrogge questioned whether the building will sit empty because other businesses cannot use the site due to no loading/unloading dock once the mattress store and Jimmy John's are no longer located there.

ROLL CALL VOTE: YES: Members Hershiser, LeGoff, Chair Beauchine
NO: Members Jackson, Ohlrogge
Motion carried 3-2.

Member Hershiser articulated concern with any variance to the impervious surface requirement of 70%, especially given flooding which occurs in that area. He voiced appreciation for Member Ohlrogge's idea of placing pervious surface under the bicycle parking spaces. He asked staff to explain why Member Ohlrogge's idea would not count towards reducing the impervious surface on the property.

Associate Planner Wyatt explained she was unsure of the absorption rate, but it has not traditionally been counted towards the pervious percentage.

Director Kieselbach explained the way the zoning ordinance is written, pervious surface does count towards lot coverage. He reiterated only 50% of the detention area can be counted towards pervious surface coverage. Director Kieselbach offered that when this project was before the Township Board, there was discussion regarding changing the ordinance to give credit to applicants for using pervious pavement material; however, no ordinance amendment has been initiated. He noted not every location is conducive to the use of pervious surface materials due to soil conditions and other factors. Director Kieselbach suggested the ZBA may wish to condition the variance approval on the applicant looking at making up the .5% through the use of pervious surface on the site.

Chair Beauchine drew members' attention to Item T of the Site Key Notes shown on the site plan, noting there are three (3) 20 foot long parking spaces in the northeast section designated to have permeable pavers, believing they would account for .5% of the impervious surface of the site.

Member Ohlrogge asked Mr. Hagerty why he would knowingly include material in the plan which he previously characterized as of poor quality.

Mr. Hagerty responded it is not that the materials are of poor quality, but one of the difference in the degradation rate of impervious v. pervious surface materials. He believed the Board would not have suggested it during their deliberation nor would the Planning Department have vetted pervious paver use if it was not a reasonable

ZONING BOARD OF APPEALS – WEDNESDAY, JUNE 24, 2015

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alternative. Mr. Hagerty firmly believed it will require replacement sooner than impervious surface materials.

Member Jackson stated the 70.5% impervious surface includes the parking spaces already designated with permeable pavers. She inquired of staff if the waiver could be granted conditioned on the inclusion of the three (3) aforementioned parking spaces.

Member Hershiser indicated his preference to see pervious pavement under the bicycle parking rack as well.

Chair Beauchine explained the proposed bicycle rack is constructed by using bollards which require cores to be drilled into the concrete to hold up the rack. He stated if the applicant would be willing to replace it with a different type of bicycle rack, some type of pervious surface could be used. He voiced concern with the security of the rack using permeable pavers.

Member Hershiser indicated there are several ways to ensure the bicycle rack is secure (e.g., dig the holes below the frost line, holes with concrete inside, or a movable bicycle rack).

Director Kieselbach suggested using pervious pavement to construct the sidewalk coming into the site from Grand River Avenue. He spoke with the applicant who did not express opposition to that change.

MEMBER HERSHISER MOVED TO APPROVE THE REQUESTED VARIANCE FROM SECTION 86-402(17) CONDITIONED UPON THE USE OF PERVIOUS MATERIAL FOR THE THREE (3) PARKING SPACES IN THE NORTHEAST CORNER AS WELL AS THE SIDEWALK IN THE NORTHEAST CORNER. SECONDED BY COMMISSIONER JACKSON.

Member Ohlrogge expressed appreciation to the applicant for their willingness to make the sidewalk of pervious material in an effort to meet the objectives of the Township.

ROLL CALL VOTE: YES: Members Hershiser, Jackson, LeGoff, Ohlrogge, Chair
Beauchine
NO: None
Motion carried unanimously.

F. OTHER BUSINESS

None

G. PUBLIC REMARKS

None

H. BOARD MEMBER COMMENTS

Chair Beauchine announced the next ZBA meeting is scheduled for July 8th. He stated the Board has appointed alternates to the ZBA, who must still be sworn in by the Clerk.

Director Kieselbach reported Planning Staff has scheduled a training session for the alternates prior to the July 8th ZBA Meeting.

ZONING BOARD OF APPEALS – WEDNESDAY, JUNE 24, 2015

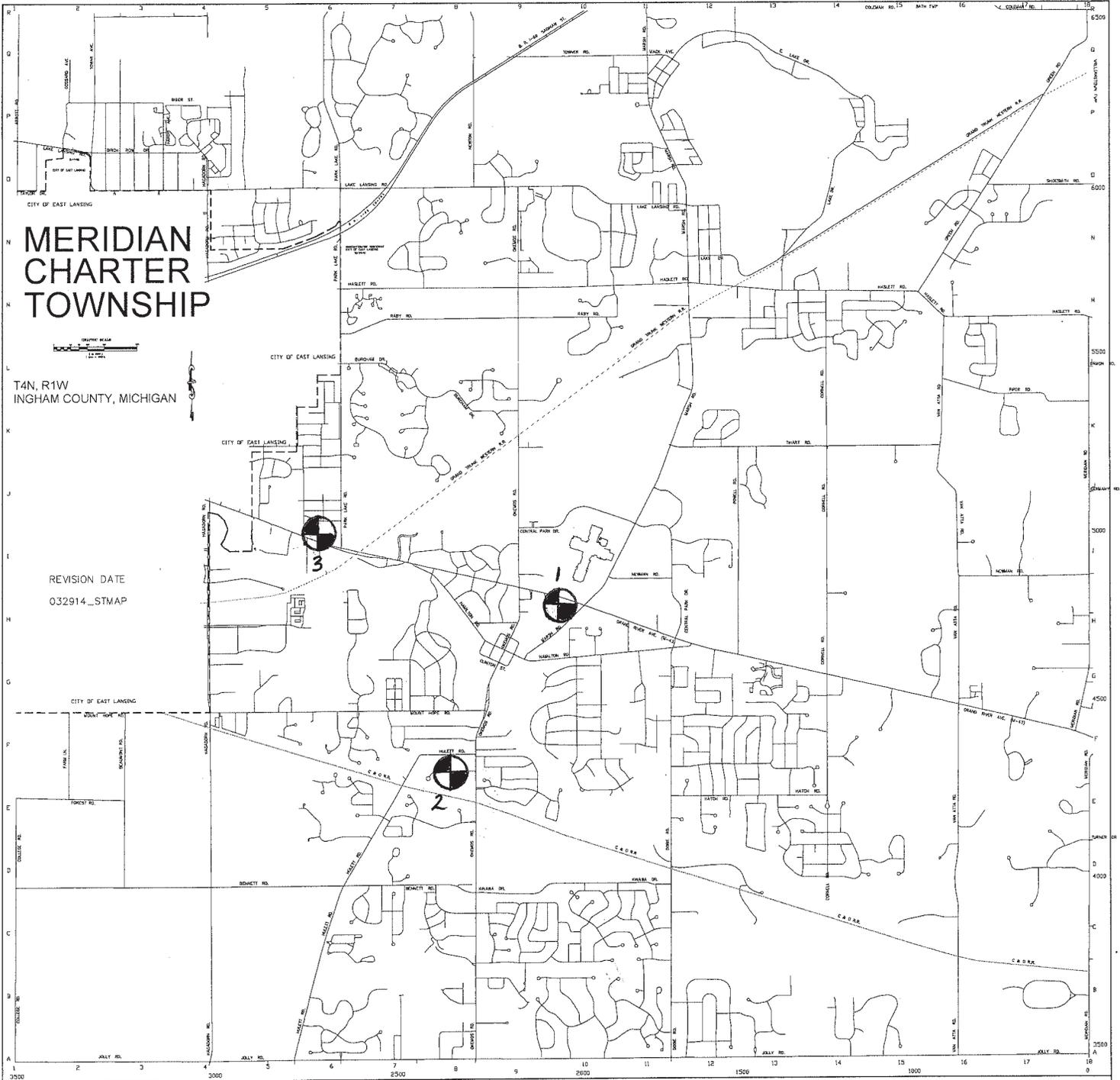
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I. ADJOURNMENT

Chair Beauchine adjourned the meeting at 7:26 P.M.

Respectfully Submitted,

Sandra K. Otto
Recording Secretary



1. ZBA CASE NO. 15-07-08-1 (HIGGINS ELECTRIC SIGN COMPANY)
2. ZBA CASE NO. 15-07-08-2 (K & H PROPERTIES, LLC.)
3. ZBA CASE NO. 15-07-08-3 (BIG RAY'S EXPRESS LUBE)

VARIANCE APPLICATION SUPPLEMENT

A variance will be granted, if the following Review Criteria are met:

1. Unique circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district.
2. These special circumstances are not self-created.
3. Strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties.
4. The alleged practical difficulties, which will result from a failure to grant the variance, would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.
5. Granting the variance is the minimum action that will make possible the use of the land or structure in a manner which is not contrary to the public interest and which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice.
6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.
7. The conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.
8. Granting the variance will be generally consistent with public interest, the purposes and intent of this Zoning Ordinance.

Effect of Variance Approval:

1. Granting a variance shall authorize only the purpose for which it was granted.
2. The effective date of a variance shall be the date of the Zoning Board of Appeals approves such variance.
3. A building permit must be applied for within 24 months of the date of the approval of the variance, and a Certificate of occupancy must be issued within 18 months of the date the building permit was issued, otherwise the variance shall be null and void.

Reapplication:

1. No application for a variance, which has been denied wholly or in part by the Zoning Board of appeals, shall be resubmitted until the expiration of one (1) year or more from the date of such denial, except on grounds of newly discovered evidence or proof of changed conditions found by the Zoning Board of Appeals to be sufficient to justify consideration.

MEMORANDUM

TO: Zoning Board of Appeals

FROM: 
Martha K. Wyatt
Associate Planner/Landscape Architect

DATE: July 1, 2015

RE: ZBA Case No. 15-07-08-1

ZBA CASE NO. **15-07-08-1 HIGGINS ELECTRIC SIGN COMPANY, 4100
HUNSACKER STREET, EAST LANSING, MI 48823**

DESCRIPTION: 2049 Grand River Avenue

TAX PARCEL: 21-276-006

ZONING DISTRICT: C-2 (Commercial) District

The applicant is requesting variances from the following sections of the Code of Ordinances:

- Section 86-687(3)a., which states one wall sign shall be permitted and may be located flat against the building's front façade or parallel to the front façade on a canopy. For businesses with frontage on more than one public street, two signs may be permitted. In no case shall more than one wall sign be located on a façade and no wall sign shall be located on a rear façade.
- Section 86-687(3)c., which states in the case of multitenant structures, one wall sign shall be permitted for each tenant having an individual means of public access up to a size equivalent to one square foot for each one lineal foot of building frontage occupied.
- Section 86-687(4)a., which states one freestanding sign per parcel shall be permitted, except a site with 500 feet or more of contiguous frontage on one street and more than one point of access on that street may have one additional freestanding sign. If two freestanding signs are located on a site based on this provision, a minimum 250 feet shall separate the two signs.

The applicant is requesting several sign variances related to the proposed multitenant retail building to be located at 2049 Grand River Avenue. The proposed tenants are a mattress store, occupying the west side of the building, and a Jimmy John's fast food restaurant with one drive-through lane on the east side of the building. The drive-through lane (use) required a special use permit, which was approved under Special Use Permit #14111. The project was approved under Site Plan Review #15-04. Variances were granted by the Zoning Board of Appeals under ZBA Case #15-06-24-1, regarding the number of parking spaces, landscaped buffers, impervious surface coverage, and a loading/unloading space.

The Jimmy John's tenant space, approximately 1,954 square feet in size, has two entrance doors (public access), one on the front (north) and one on the rear (south) sides of the building. The drive-through window is located on the east façade.

The building elevations show a wall sign on the rear façade for Jimmy John's, and the sign is approximately 16 square feet. A wall sign is permitted on a rear façade of a multitenant building where an individual means of public access is provided. In this case the tenant space has approximately 25 lineal feet of frontage thus a 25 square foot wall sign is permitted. As a point of information, the applicant has noted the rear entrance door will be open to the public and a hallway will provide access into the public area of the restaurant. Given those parameters, the wall sign is permitted as shown. Staff will review the floorplans with the building permit to assure public access is provided into the restaurant area with regards to the wall sign on the rear façade.

The applicant is requesting to install additional wall signs, wall signs on a side that is not the front façade, larger than permitted wall signs, and a second freestanding sign. Following is a summary of the variance request by ordinance section number.

Section 86-687(3)a.- Wall Signs

One wall sign is permitted on the front façade, flat against the building or parallel to the front façade on a canopy. The applicant is proposing a wall sign, flat against the front (north) façade above the entrance door. A non-illuminated canopy is also proposed on the front facade, over the entrance door and below the wall sign. The north side of the canopy has a band along the bottom that includes wording, making this portion of the canopy a sign. The variance request is to install two wall signs on the front façade and one wall sign is permitted. The next section provides details on the size of each wall sign.

- Section 86-687(3)c.-Wall Signs for Multitenant Buildings

Per the ordinance, a multitenant building is permitted one (1) wall sign for each tenant having an individual means of public access. The size of the wall sign is equivalent to one square foot for each one lineal foot of building frontage occupied. The tenant space for Jimmy John's has approximately 25 lineal feet of frontage, as measured from the dividing wall of the tenant space to the outside wall of the east building façade, using the site plan provided by Westwood Professional Services. The applicant's site plan does not scale properly. The lineal frontage does not include the bump out wall for the drive-through window as the applicant has shown in the sign package. Based on 25 lineal feet of frontage, one 25 square foot wall sign is permitted.

As noted in the previous section the applicant is proposing two wall signs. The wall sign located flat against the front (north) façade consists of a round sign (corporate logo) plus the words "Jimmy John's", which when measured together as one sign (to the furthest extent of height and width), is approximately 37.8 square feet. The allowed size for one wall sign is 25 square feet. The canopy on the north façade has a band along the bottom with wording and this portion of the canopy is considered a sign. The band along the front of the canopy is approximately 2.78 square feet. Together the two walls signs total 40.58 square feet.

On the east façade, a canopy is located over a window and is similar to the canopy on the north façade, with a band on the bottom that includes wording. The band with the wording is considered a sign. The band (sign area) is approximately 2.16 square feet in size. A public access is not provided on this side of the building. The applicant is requesting a variance to install a wall sign on a side of the building that is not a front façade and where an individual means of public access is not provided.

- Section 86-687(4)a.-Freestanding Signs

The applicant is proposing to install a three foot tall pole sign on the west side of the entrance drive from Grand River Avenue. The sign is noted as directional sign on the submitted drawings. The sign area includes the words "Drive Thru" with an arrow and the Jimmy John's corporate logo. The surface display area of the sign is approximately 4.2 square feet.

Signs identifying a parcel's entrance and exit are permitted per Section 86-687(4)k., provided the surface display area does not exceed six square feet in size, is no higher than three feet, and does not display any identifiable logo or business name. A sign which indicates the location of a drive-through lane, meets the size and height requirements, and is without a corporate logo or business name has typically been allowed for sites with drive-through uses. However, the proposed sign has a corporate logo and is therefore considered a freestanding sign.

The plans show a freestanding sign on the east side of the main entrance drive, which is intended to serve as the tenant sign for the site. The sign is to be installed by the property owner and is not part of the current variance request. Scaled drawings for this sign have not been provided by the property owner, thus staff cannot confirm if the sign is in compliance with the sign standards outlined in the Code of Ordinances regarding size, height and location of the sign. Those issues will be reviewed when the sign permit is submitted from the property owner. If the sign is not in compliance, the property owner will have to apply for all applicable variances in a separate application. Per the ordinance, a freestanding sign is permitted to be up to 25 square feet in surface display area with an additional three square feet set aside for the address. The maximum allowed height for the sign is 16 feet.

The drawing submitted with the current variance request states the cabinet sign box is approximately 28 square feet in size and the overall height of the cabinet and pole is 16 feet. This drawing can be used as a representation of what the tenant sign look like and the assumption could be that the property will have a freestanding sign as is typical of retail sites.

Section 86-687(4)a. permits one freestanding sign on a parcel. The applicant is requesting to install a second freestanding sign, approximately 4.2 square feet in size; therefore the applicant is requesting a variance.

Site History

- The Planning Commission held the public hearing for Special Use Permit #14111 at its regular meeting on November 24, 2014.
- On December 15, 2014 the Planning Commission, by a vote of 5-3, denied Special Use Permit #14111. The Planning Commission's denial of Special Use Permit #14111 was appealed by the applicant to the Township Board.
- On February 3, 2015 the Township Board held an appeal hearing for Special Use Permit #14111.
- On March 17, 2015 the Township Board voted to reverse the decision of the Planning Commission and uphold the appeal of Special Use Permit #14111, thus approving the construction of an approximate 6,000 square foot multi-tenant retail building with one drive-through lane, at 2049 Grand River Avenue.
- On May 21, 2015 the project was approved under Site Plan Review #15-04; with the condition the applicant secure all applicable variances from the Zoning Board of Appeals.
- On June 24, 2015 the Zoning Board of Appeals approved variances permitting the site to have 70.5% impervious surface coverage; provide less than the required number of parking spaces; eliminate the loading/unloading space; and allow the landscaped buffers on the east and west sides of the site to be less than 15 feet wide, under ZBA Case #15-06-24-1.

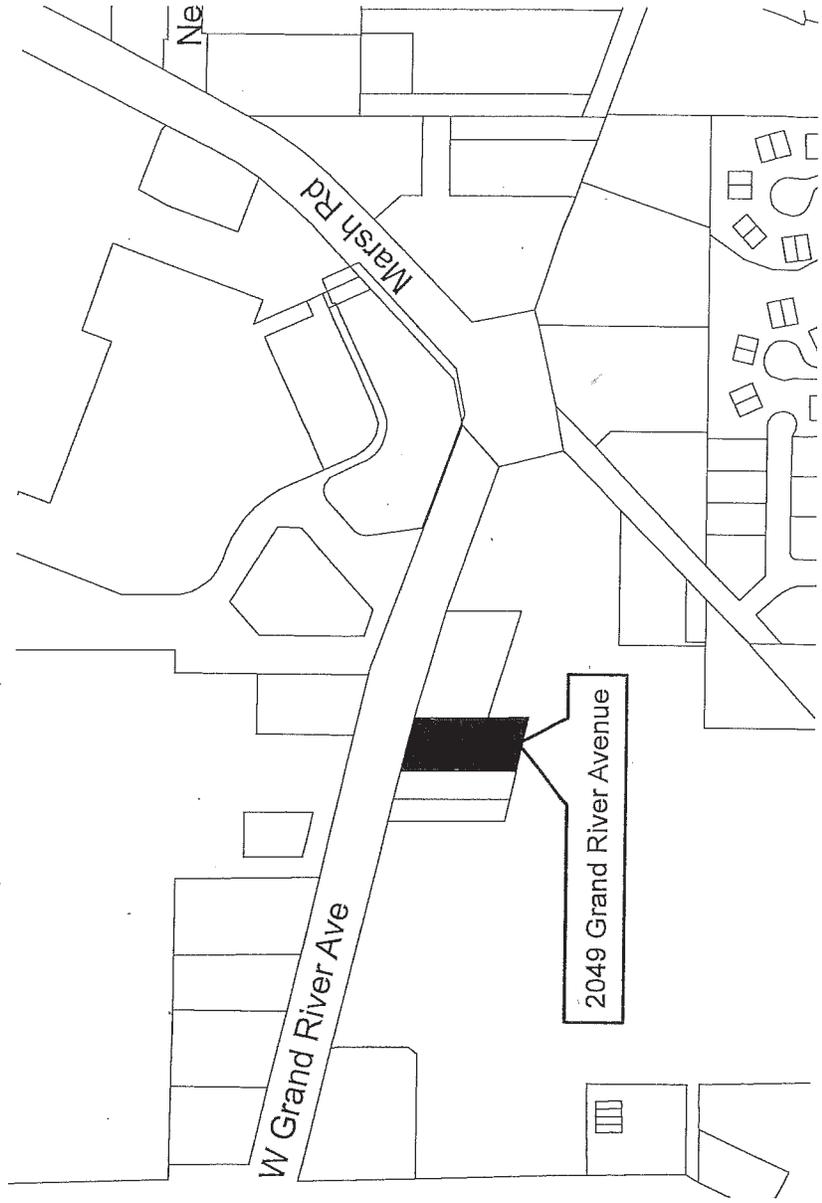
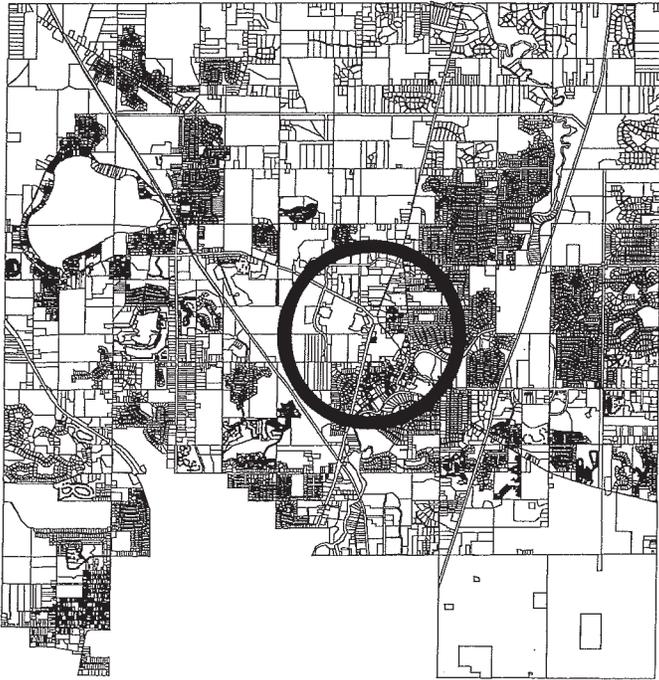
Attachments

1. Application
2. Site Location Map
3. Letter from the Applicant dated June 16, 2015
4. Sign Package from Applicant
5. Site Plan from Applicant, received by the Township on June 29, 2015
6. Site Plan from Westwood Professional Services, received by the Township on June 26, 2015

**ZONING BOARD OF APPEALS #15-07-08-1
(HIGGINS ELECTRIC SIGN COMPANY)**

**REQUEST VARIANCES TO ALLOW
ADDITIONAL WALL & SITE SIGNS
THAN ARE PERMITTED; LOCATE A
FREESTANDING SIGN THAT
DOES NOT MEET REQUIRED
SETBACKS; & INSTALL A WALL SIGN
THAT EXCEEDS THE MAXIMUM
ALLOWED SQUARE FOOTAGE
AT 2049 GRAND RIVER AVE.**

CHARTER TOWNSHIP OF MERIDIAN



CHARTER TOWNSHIP OF MERIDIAN
PLANNING DIVISION
5151 MARSH ROAD, OKEMOS, MI 48864
(517) 853-4560

VARIANCE APPLICATION

A. Applicant HIGGINS ELECTRIC SIGNS CO. / JAMIE HIGGINS
Address of Applicant 4100-A HUNSAKER ST.
EAST LANSING, MI 48823
Telephone (Work) 351-5255 Telephone (Home) 819-0990
Fax 351-5233 Email address: HIGGINSSIGNS@ACD.NET
Interest in property (circle one): Owner: Tenant: Option: Other

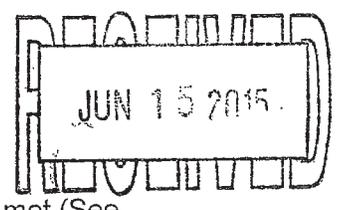
CONTRACTOR

B. Site address/location JIMMY JOHNS 2049 W. GRAND RIVER AVE.
Zoning district _____ Parcel number 33-02-02-21-276-006

- C. Nature of request (Please check all that apply):
- Request for variance(s)
 - Request for interpretation of provision(s) of the "Zoning Ordinance" of the Code of Ordinances
 - Review an order, requirements, decision, or a determination of a Township official charged with interpreting or enforcing the provisions of the "Zoning Ordinance" of the Code of Ordinances

Zoning Ordinance section(s) 86-687(3)a / 86-687(4)k / 86-691

- D. Required Supporting Material Supporting Material if Applicable
- Property survey
 - Legal description
 - Proof of property ownership or approval letter from owner
 - Site plan to scale
 - Written statement, which demonstrates how all the review criteria will be met (See next page)
- Architectural sketches
 - Other



JAMIE HIGGINS
Signature of Applicant

JAMIE HIGGINS
Print Name

JUNE 15, 2015
Date

Fee: \$200.00

Received by/Date: [Signature] 6/15/15

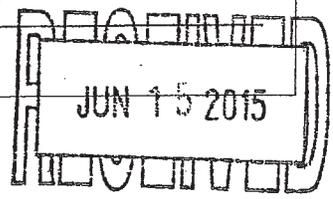
I (we) hereby grant permission for members of the Charter Township of Meridian Zoning Board of Appeals, Township staff members and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purposes of gathering information including but not limited to the taking and the use of photographs. (Note to Applicant(s): This is optional and will not affect any decision on your application.)

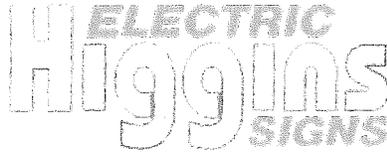
JAMIE HIGGINS
Signature of Applicant(s)

JUNE 15, 2015
Date

Signature of Applicant(s)

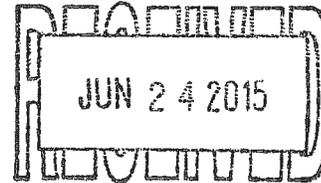
Date





June 16, 2015

Meridian Township
Board of Zoning Appeals



Ref: Jimmy Johns Gourmet Sandwiches
2049 W. Grand River Ave

As you know the existing vacant Goodyear Northwest Tire & Service building is planned to be demolished to accommodate a new multi-tenant building for Jimmy Johns and the Mattress Firm.

The developers of this property have already been through the planning commission review and special use permitting routine and have made changes to accommodate the townships previous requests due to repercussions.

One of the changes required was to reduce the size of the building on this lot. The new building will have approximately the same set back from the road as Goodyear. Per the township sign ordinance wall sign size is based upon building frontage.

This request is only concerning the Jimmy Johns portion of this project. There will be only one 2 tenant pole sign and Jimmy Johns is requesting two wall signs, three awnings and one "Drive Thru" directional sign.

A. On the north front elevation facing Grand River Ave. There will be a basic 25' building frontage, plus approximately another 5' extension for the drive thru vestibule to the west. Jimmy Johns is requesting a 37.5 square foot wall sign on this front building elevation. Based upon interpretation, this sign would be 12.5 square feet or 7.5 square feet too large according to sec. 86-687(3)a.b requiring this variance request.

On this same front/north elevation the customer will also be installing a decorative awning. The proposed generic graphics, is part of their national branding, to simply say "Freaky Fast! Freaky Good! We Deliver. Mama Approved Catering". By interpretation this additional 2.78 square feet of graphics is considered a second wall sign which is not allowed.

Per section 86-691 of local sign ordinance, any thing less than 6 square feet in area does not require a permit. But this request for 2.78 square feet requires a variance?

B. On the east elevation (drive thru window side) by so called definition/ interpretation signs are not allowed. Customer is requesting generic graphics on one awning to read "Freaky Fast! Freaky Good! Mama Approved Catering!" This proposed 2.16 square feet of graphics, once again, does not require a permit, but does require a variance.

C. South elevation/ rear (facing Meijer parking lot)

Per section 86-687 (3) a. "No wall sign shall be located on a rear facade". Customer is proposing to have one 4' round logo wall sign on this elevation. By so called definition this is 16 square feet. Because it is not square, but round actual square feet is 12.57.

Apparently due to previous interpretation and conversations as of 05/19/15 this sign will be ok as long as there is a "Public" door on this elevation.

The customer has accommodated this request per site plan provided.

D. The proposed two tenant pole sign will comply with the local ordinance to be a maximum of 28 square feet, including the address at 16' overall height and a minimum of a 10' setback from the property line. I, Jamie Higgins am assuming that they will make use of the existing pole (On-Site) that previously accommodated the 3' x 8' Goodyear sign. If not it will be in a similar position on the lot to accommodate the necessary requirements.

E. Jimmy Johns is proposing to include one 'Drive Thru' directional sign on site at 4.2 square feet and 3' overall height with their logo included. Per section 86-687 (4) K directional signs are not allowed to display any identifiable logo or business name.

Due to the multi-tenant use of the building it is somewhat important to identify which tenant actually offers drive thru service. Once again anything less than 6 square feet does not require a permit but, apparently requires a variance.

Thank you for your consideration.

Jamie Higgins



June 15, 2015

Meridian Township
Board of Zoning Appeals
Ref: Jimmy Johns Gourmet Sandwiches
2049 W. Grand River Ave

Attached is information and drawings requested for your review for this variance request.
Based upon the variance criteria-

Item #1-

Unique circumstances exist to this particular property due to the approved building setback, multi-tenant use of this lot and frontage facing the large public parking area of Meier.

Item #2-

Due to previous township concerns over planning commission review and special use permits the circumstances are not self created.

Item #3-

The alleged practical difficulties to property identify and direct internal traffic is explained in the attached request.

Item #4-

The practical difficulties and restrictions will be unnecessarily burden some to the redevelopment of this property.

Item #5-

Approval of this request will not adversely affect the public interest or public safety and would actually benefit proper identification and traffic flow.

Item #6-

Based upon this location the request will not adversely affect any of the neighboring properties.

Item #7-

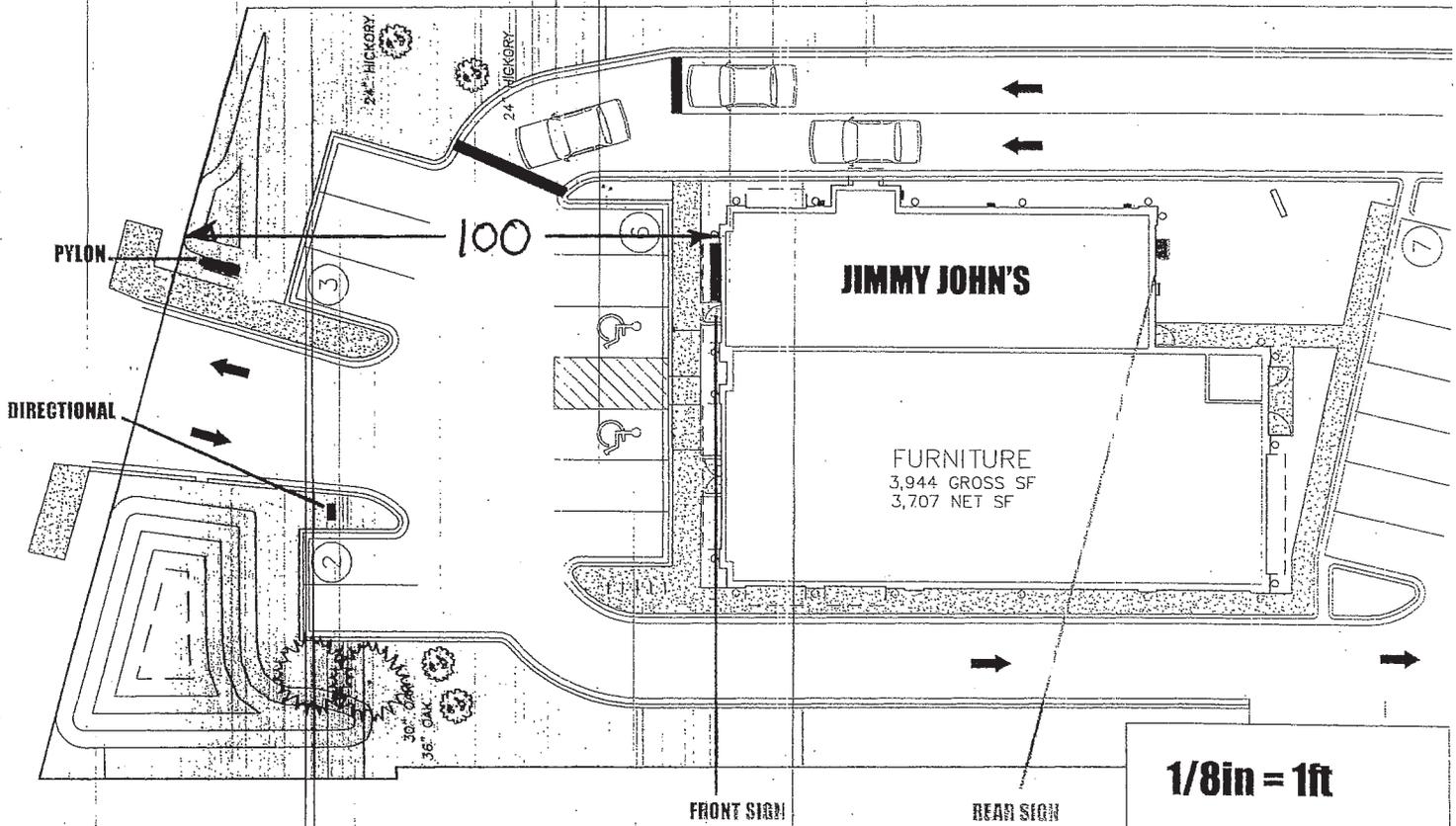
Due to the building setback and multi-tenant use of the new development the conditions are unique and will not "Set a prescient" for others properties.

Item# 8-

Approval of this request will meet the requirements set forth in the purpose of the township sign ordinance and will not be detrimental to the public health, safety, mortals or general welfare.

Thank you for your consideration.

Jamie Higgins



1/8in = 1ft

FRONT SIGN

REAR SIGN

Bendsen
Signs & Graphics, Inc.
2801 N. Woodford St. Decatur, IL 62526
PH: 217-877-2345
FAX: 217-877-2347

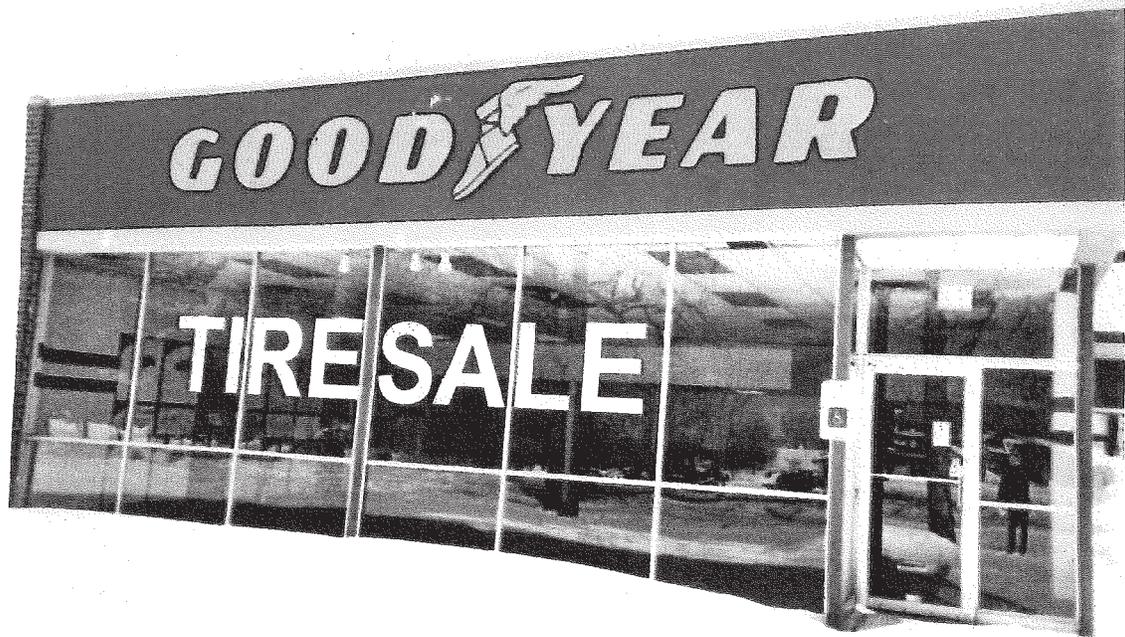
For: Jimmy John's Gourmet Sandwiches - Okemos, MI

- Quantity: Three (3) Non-Illuminated awnings. Quantity: One (1) Internally illuminated disc
- Quantity: One (1) set of internally illuminated channel letters mounted to a black raceway
- Quantity: Two (2) white polycarbonate flat faces with first surface vinyl
- Quantity: One (1) double-sided internally illuminated directional sign

This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendsen Signs and Graphics, Inc. It is not to be shown or described to other nor is it to be used, reproduced, copied or exhibited in any fashion.

Bendsen Signs & Graphics, Inc.
Designer: KL
Date: 06-22-15
Sketch No. QKMS

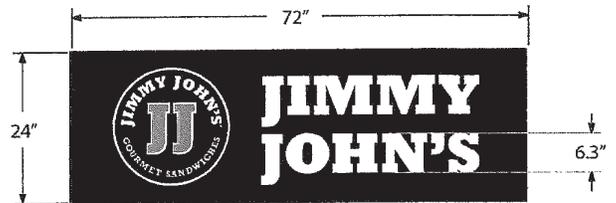
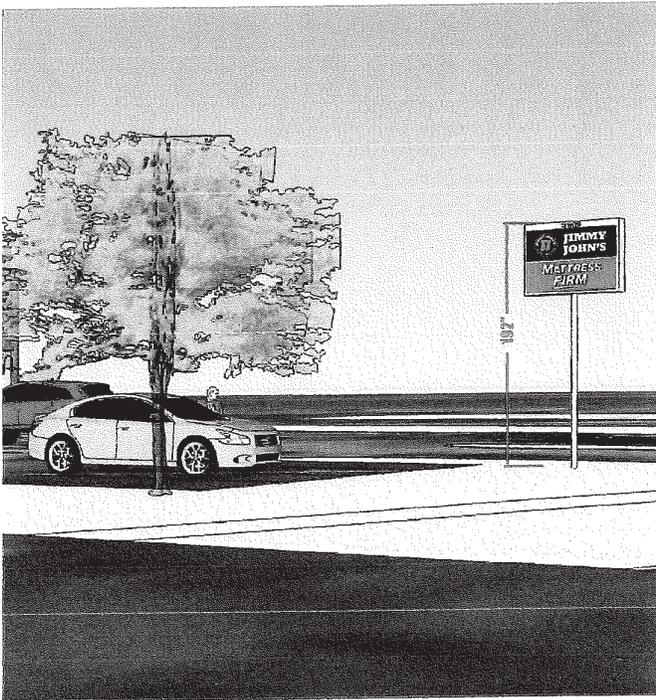
JIMMY JOHN'S
2049 W. GRAND RIVER AVE.
100' MINIMUM BUILDING SETBACK
"FULL SIZED" DRAWING ATTACHED.



2049 W. GRAND RIVER AVE.
PREVIOUS 24" TALL GOODYEAR
FRONT & REAR ELEVATIONS



2049 W. GRAND RIVER AVE.
EXISTING 18" TALL LETTERS
FRONT & REAR ELEVATIONS



Signs & Graphics, Inc.

2901 N. Woodford St. Decatur, IL 62526

PH: 217-877-2345
FAX: 217-877-2347

For: Jimmy John's Gourmet Sandwiches - Okemos, MI

Quantity: Two (2) white polycarbonate flat faces with first surface vinyl

Vinyl Colors: 3630-22 Black and 3630-83 Regal Red

This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendson Signs and Graphics, Inc. It is not to be shown or described to other nor is it to be used reproduced, copied or exhibited in any fashion.

Designer: KL
Date: 04-13-15
Sketch No. OKMS 102

TENANT POLE SIGN
4' 8" x 6' (28 SQ. FT.) AT 16' O.A.H.

BUILDING FRONTAGE $25' + 4' = 29'$

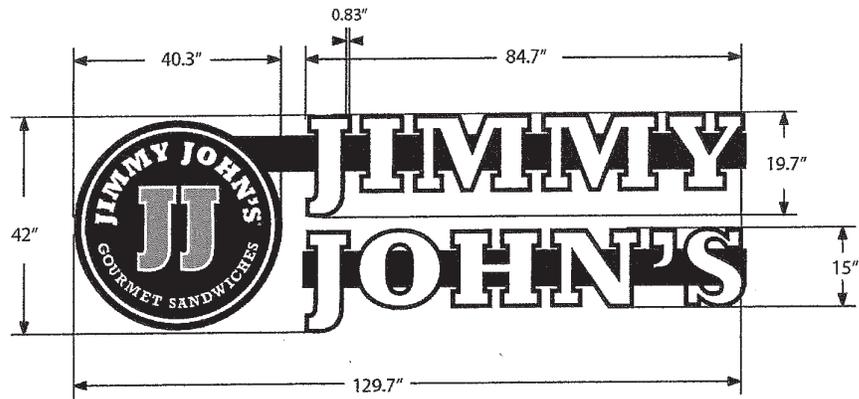
BUILDING HEIGHT $23'4''$



PROPOSED STORE FRONT / NORTH WALL SIGN

$3'6'' \times 10'9\frac{3}{4}'' = 37.8$ SQUARE FEET

PLUS 2.78 SQ. FT. GENERIC AWNING GRAPHICS



37.8 Sq Ft.

	<p>.040" ALUMINUM</p> <p>7" X 7" EXTRUDED ALUMINUM ENCLOSURE</p> <p>3/8" LAG BOLT W/ANCHORS</p> <p>LISTED DISCONNECT SWITCH (NEC 600-6) WITHIN SIGHT OF SIGN</p> <p>PRIMARY ELECTRICAL (NEC 600-5) SEE ELEC. NOTES</p> <p>LED POWER SUPPLY</p> <p>N.T.S.</p>	<table border="1"> <tr><th colspan="2">LED (US LED)</th></tr> <tr><td>COLOR</td><td>PNT-3-12-W</td></tr> <tr><td>FACE</td><td>THICKNESS 1/8"</td></tr> <tr><td>COLOR</td><td>WHITE</td></tr> <tr><td>VINYL</td><td>PER STYLE</td></tr> <tr><td>DEPTH</td><td>5"</td></tr> <tr><td>COLOR</td><td>BLACK PRE-COAT</td></tr> <tr><td>GAUGE</td><td>.040" X 5.3" COIL</td></tr> <tr><td>SIZE</td><td>3/4"</td></tr> <tr><td>COLOR</td><td>BLACK</td></tr> <tr><td>TYPE</td><td>TRIM CAP</td></tr> <tr><td>MATERIAL</td><td>ALUMINUM</td></tr> <tr><td>GAUGE</td><td>.063"</td></tr> <tr><td>SIZE</td><td>7" X 7" X .063"</td></tr> <tr><td>COLOR</td><td>BLACK</td></tr> <tr><td>MOUNTING</td><td>1/4" X 2" ALUM. BAR</td></tr> </table>	LED (US LED)		COLOR	PNT-3-12-W	FACE	THICKNESS 1/8"	COLOR	WHITE	VINYL	PER STYLE	DEPTH	5"	COLOR	BLACK PRE-COAT	GAUGE	.040" X 5.3" COIL	SIZE	3/4"	COLOR	BLACK	TYPE	TRIM CAP	MATERIAL	ALUMINUM	GAUGE	.063"	SIZE	7" X 7" X .063"	COLOR	BLACK	MOUNTING	1/4" X 2" ALUM. BAR	<table border="1"> <tr><th colspan="2">POWER SUPPLY</th></tr> <tr><td>ADVANCE</td><td>60 W POWER SUPPLY</td></tr> <tr><td>KICKER MATERIAL</td><td>ALUMINUM</td></tr> <tr><td>HGT.</td><td>TO BE DETERMINED</td></tr> <tr><td>SIZE</td><td>#8 X 1/2" PHILLIPS HD.</td></tr> <tr><td>COLOR</td><td>TO MATCH TRIMCAP</td></tr> <tr><td>INTERNAL</td><td>3/8" LAG BOLT W/ANCHORS</td></tr> <tr><td>EXTERNAL</td><td>DISCONNECT/TOGGLE</td></tr> <tr><td>TYPE</td><td></td></tr> </table> <p>*SPST DISCONNECT SWITCH LOCATE ON RACEWAY. *2 WEEP HOLES PER LETTER REQUIRED (3/8" DIA.). *ALL ELECTRICAL OUTS LOCATED FOR RACEWAY OR REMOTE APPLICATION. *CAULK REQUIRED.</p>	POWER SUPPLY		ADVANCE	60 W POWER SUPPLY	KICKER MATERIAL	ALUMINUM	HGT.	TO BE DETERMINED	SIZE	#8 X 1/2" PHILLIPS HD.	COLOR	TO MATCH TRIMCAP	INTERNAL	3/8" LAG BOLT W/ANCHORS	EXTERNAL	DISCONNECT/TOGGLE	TYPE	
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PH: 217-877-2348
 FAX: 217-877-8347

2901 N. Woodford St. Decatur, IL 62526

For: Jimmy John's Gourmet Sandwiches - Okemos, MI

Quantity: Two (2) sets of internally illuminated channel letters mounted to a black raceway

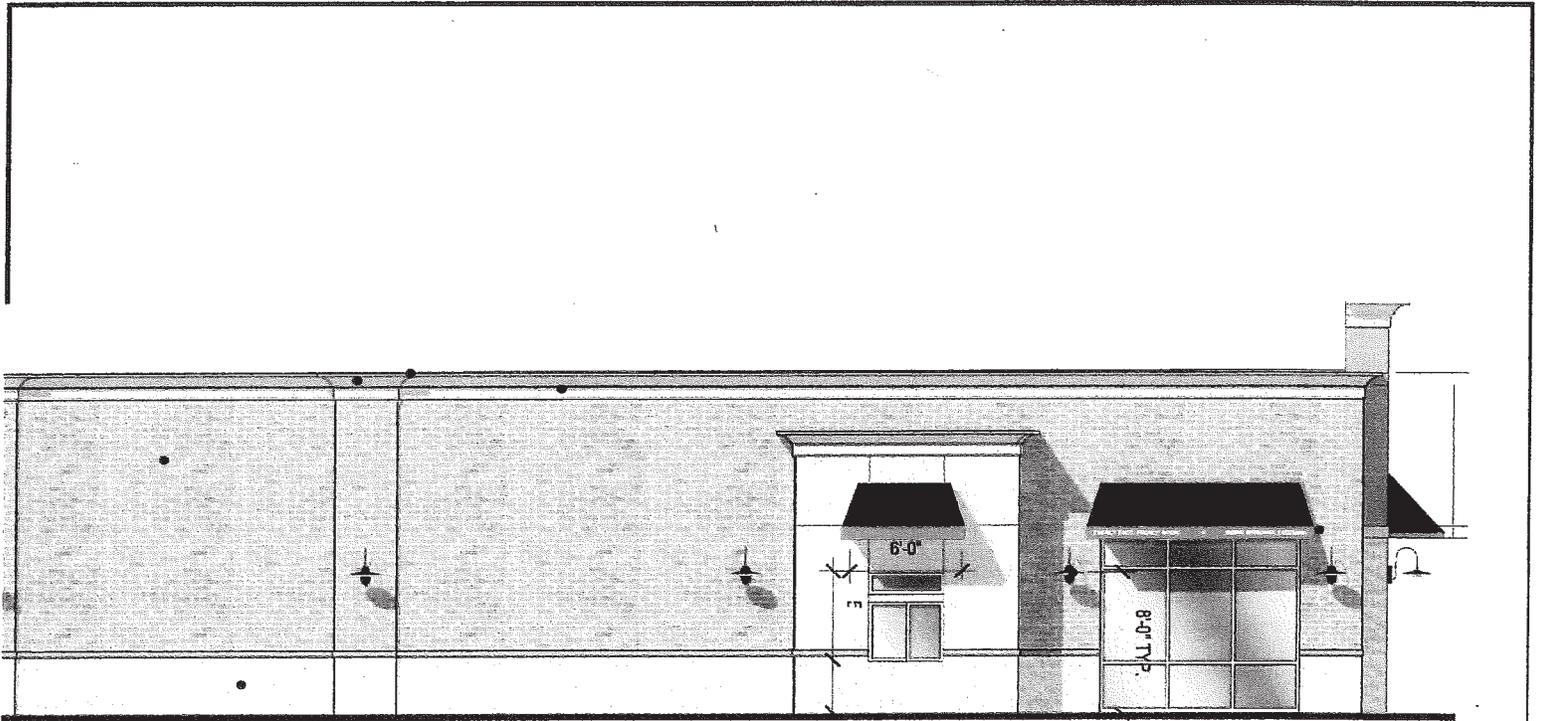
Vinyl Colors: 3630-22 Black and 3630-83 Regal Red

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Designer: KL
 Date: 04-13-15
 Sketch No. OKMS 100a

PROPOSED STORE FRONT / NORTH WALL SIGN

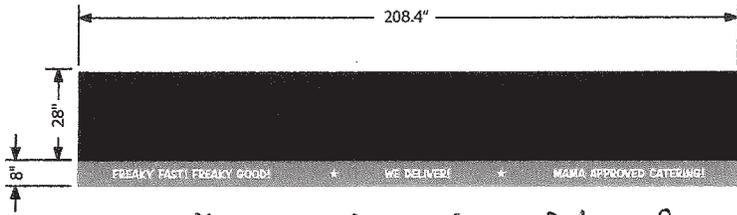



 Signs & Graphics, Inc.
 2901 N. Woodford St. Decatur, IL 62526
 PH: 817-877-2348
 FAX: 817-877-2347

For: Jimmy John's Gourmet Sandwiches - Okemos, MI
 Quantity: Quantity: Two (2) Non-Illuminated awnings using Sunbrella 4608 Black and 4666 Red material

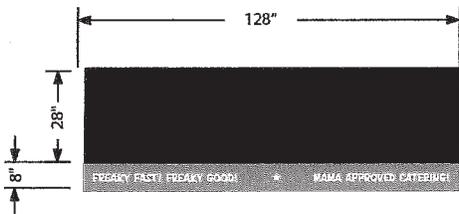
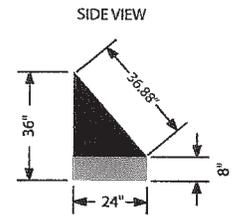
This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendsen Signs and Graphics, Inc. It is not to be shown or described to other nor is it to be used reproduced, copied or exhibited in any fashion.
 Designer: KL
 Date: 04-30-15
 Signs & Graphics, Inc. Sketch No. OKMS 100

EAST SIDE DRIVE THRU ELEVATION
 2,116 SQ. FT. OF GENERIC AWNING GRAPHICS



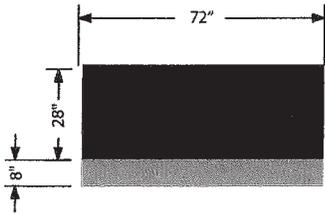
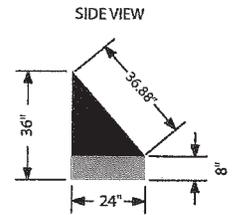
NORTH STORE FRONT

2,78 SQ. FT. GRAPHICS

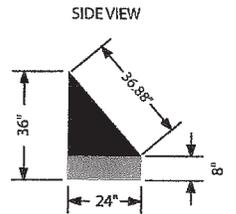


EAST SIDE ELEVATION

2,16 SQ. FT. GRAPHICS



DRIVE THRU WINDOW
NO GRAPHICS



PH: 217-877-2348
FAX: 217-877-2347

2901 N. Woodford St. Decatur, IL 62526

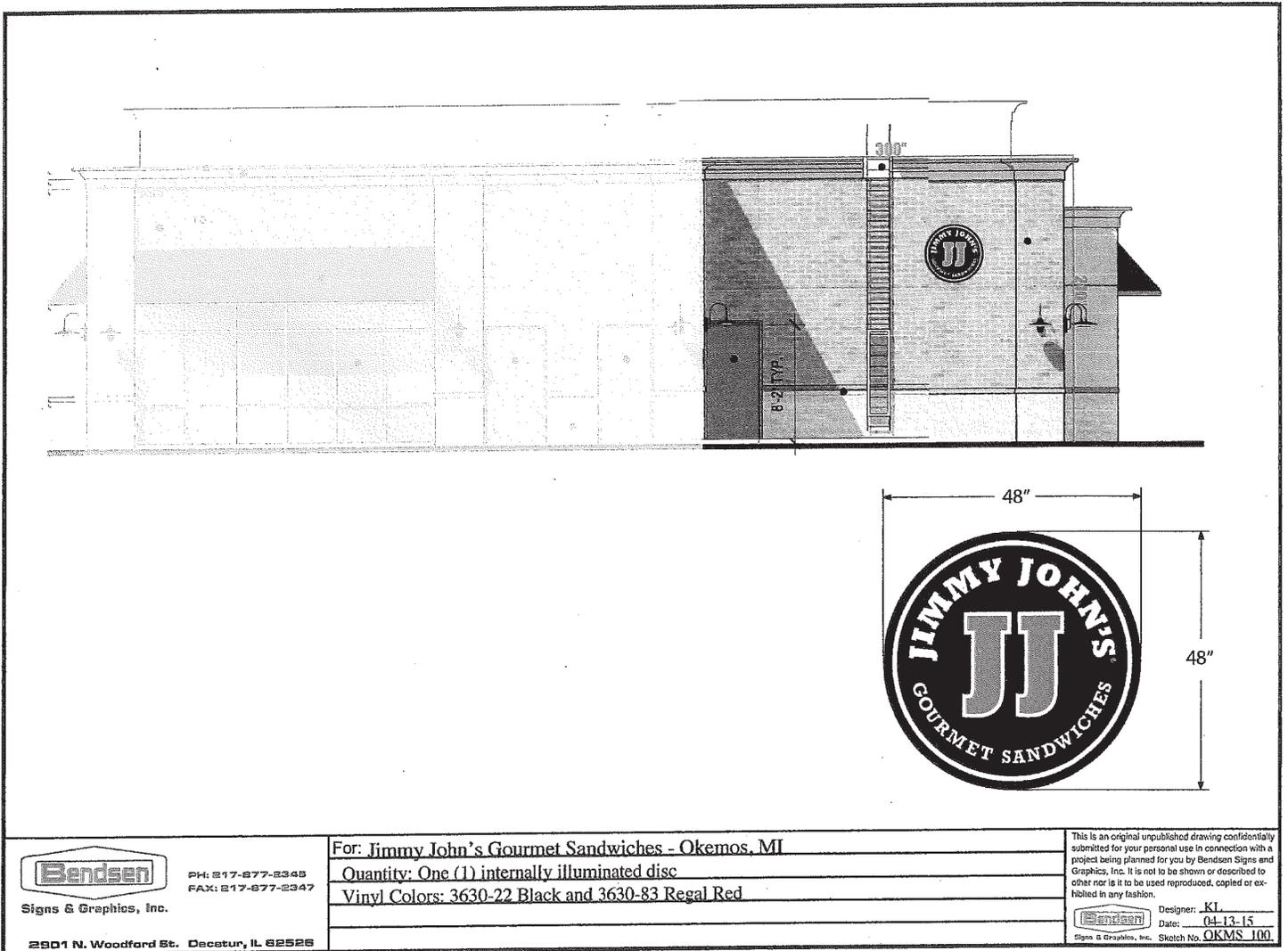
For: Jimmy John's Gourmet Sandwiches - Okemos, MI

Quantity: Three (3) Non-Illuminated awnings using Sunbrella
4608 Black and 4666 Red material

This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendson Signs and Graphics, Inc. It is not to be shown or described to other nor is it to be used reproduced, copied or exhibited in any fashion.



Designer: KL
Date: 04-13-15
Sketch No. OKMS 100b



PH: 817-877-2348
 FAX: 817-877-2347

Signs & Graphics, Inc.

2901 N. Woodford St. Decatur, IL 62526

For: Jimmy John's Gourmet Sandwiches - Okemos, MI

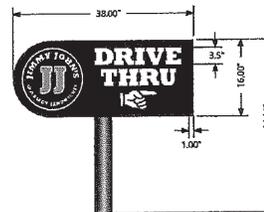
Quantity: One (1) internally illuminated disc

Vinyl Colors: 3630-22 Black and 3630-83 Regal Red

This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendson Signs and Graphics, Inc. It is not to be shown or described to other nor is it to be used reproduced, copied or exhibited in any fashion.

Designer: KL
 Date: 04-13-15
 Sign & Graphics, Inc. Sketch No. OKMS_100

SOUTH/REAR ELEVATION (FACING MEIJER)
 PROPOSED 16 SQ.FT. LOGO WALL SIGN
 (ROUND = 12.57 SQ.FT.)



PH: 217-877-2343
FAX: 217-877-2347

Signs & Graphics, Inc.

2901 N. Woodford St. Decatur, IL 62526

For: Jimmy John's Gourmet Sandwiches - Okemos, MI

Quantity: One (1) double sided internally illuminated directional sign

Vinyl Colors: 3630-22 Black and 3630-83 Regal Red

This is an original unpublished drawing confidentially submitted for your personal use in connection with a project being planned for you by Bendson Signs and Graphics, Inc. It is not to be shown or described to other nor is it to be used reproduced, copied or exhibited in any fashion.

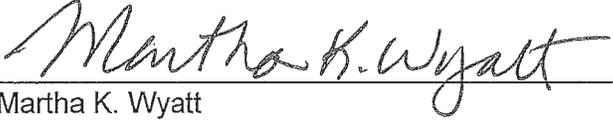


Designer: KL
Date: 05-01-15
Signs & Graphics, Inc. Sketch No. OKMS 102

ONE INTERNAL DIRECTIONAL SIGN WITH LOGO
16" x 38" = 4.2 SQ. FT. AT 3' O.A.H.

MEMORANDUM

TO: Zoning Board of Appeals

FROM: 
Martha K. Wyatt
Associate Planner/Landscape Architect

DATE: July 1, 2015

RE: ZBA Case No. 15-07-08-2

ZBA CASE NO. 15-07-08-2 K & H PROPERTIES, L.C., 3782 THISTLEWOOD, OKEMOS, MI 48864

DESCRIPTION: 2356 Science Parkway

TAX PARCEL: 28-176-033

ZONING DISTRICT: RP (Research Park)

The applicant is requesting a variance from the following section of the Code of Ordinances:

- Section 86-434(f)(5)b., which states the rear or side yard setback is ten percent of the width and depth respectively of the lot, but need not exceed 40 feet each nor shall they be less than ten feet.

The applicant is requesting a variance for the side yard setback for the building located at 2356 Science Parkway. Three office buildings are connected via enclosed walkways (building connectors) with the subject building located in the middle. The subject building is located on the same parcel (Parcel #28-176-033) with 2370 Science Parkway (west of subject site), which has an office building. The building at 2310 Science Parkway (to the east) is on its own parcel (Parcel #28-176-024). In 1998 Special Use Permit (SUP) #98101 was approved to connect the 2310 and 2356 Science Parkway with an enclosed walkway. The special use permit was required as the group of buildings (3 buildings) exceeded 25,000 square feet. The approximate 1,000 square foot structure is comprised of brick and includes an entrance door on the south side of the walkway. Internally the walkway provides access to both buildings. The enclosed walkway, approved under Site Plan Review #98-34, was constructed in 1998.

The building addressed as 2310 Science Parkway was sold in 2014. The applicant intends to construct an interior dividing wall in the enclosed walkway between 2310 and 2356 Science Parkway. Based on conversations with the applicant, the wall will be located approximately on the east property line of 2356 Science Parkway. Exterior alterations to the existing building or enclosed walkway are not prosed at this time.

A condition of approval of SUP # 98101 was to combine the two separate parcels into a single lot so that the three buildings would be on one parcel. The parcels have not been combined thus making SUP #98101 invalid and making the subject building nonconforming as the enclosed walkway is located over the east property line and does not meet the required side yard setback.

The required side yard setback for a building in the Research Park (RP) zoning district is ten percent of the width of the lot, but not to exceed 40 feet nor be less than ten feet. The lot width of the subject site is 400 feet, thus the required side yard setback is 40 feet.

The applicant is requesting a variance to permit the building (enclosed walkway) to encroach into the side yard setback and be zero feet from the east property line. The following chart summarizes the variance request:

	Required Setback	Proposed Setback	Variance Request
East lot line	40 feet	0 feet	40 feet

Site History

- The building was constructed in 1983 under PB #14298.
- On August 24, 1998 the Planning Commission approved Special Use Permit #98101 approving the construction of an enclosed walkway and connecting three buildings, which totaled more than 25,000 square feet (approximately 36,180 square feet).
- On November 2, 1998 the proposed enclosed walkway was approved under Site Plan Review #98-34.

Attachments

1. Application
2. Site Location Map
3. Letter from the Applicant
4. Special Use Permit #98101 approval letter dated August 25, 1998
5. Color Rendering of Site Plan
4. Site Plan and Building Elevations (SUP #98101)

CHARTER TOWNSHIP OF MERIDIAN
PLANNING DIVISION
5151 MARSH ROAD, OKEMOS, MI 48864
(517) 853-4560

VARIANCE APPLICATION

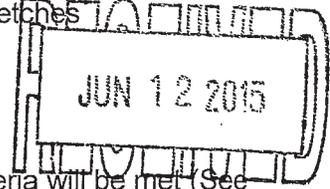
A. Applicant K & H Properties, L.C.
Address of Applicant 3782 Thistlewood, Okemos, MI 48864
Telephone (Work) (517) 204-0911 Telephone (Home) _____
Fax (517) 993-6280 Email address: howard@hbstrategy.com
Interest in property (circle one): Owner Tenant Option Other

B. Site address/location 2356 (2370) Science Parkway, Okemos, MI 48864
Zoning district RP Parcel number 33-02-02-28-176-033

C. Nature of request (Please check all that apply):
 Request for variance(s)
 Request for interpretation of provision(s) of the "Zoning Ordinance" of the Code of Ordinances
 Review an order, requirements, decision, or a determination of a Township official charged with interpreting or enforcing the provisions of the "Zoning Ordinance" of the Code of Ordinances

Zoning Ordinance section(s) Side setback variance request/ Section 86-434(f)(5)

D. Required Supporting Material Supporting Material if Applicable
-Property survey -Architectural sketches
-Legal description -Other
-Proof of property ownership or approval letter from owner
-Site plan to scale
-Written statement, which demonstrates how all the review criteria will be met (See next page)



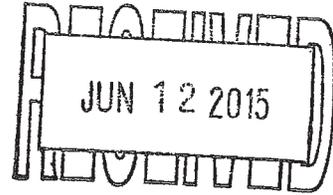
Howard J. Weyers HOWARD J. WEYERS 06-12-15
Signature of Applicant Print Name Date

Fee: \$450.00 Received by/Date: CLM 6/12/15

I (we) hereby grant permission for members of the Charter Township of Meridian Zoning Board of Appeals, Township staff members and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purposes of gathering information including but not limited to the taking and the use of photographs. (Note to Applicant(s): This is optional and will not affect any decision on your application.)

Howard J. Weyers 06-12-15
Signature of Applicant(s) Date

Signature of Applicant(s) Date



WRITTEN STATEMENT

K & H PROPERTIES, L.C., VARIANCE APPLICATION

Background:

K & H Properties, L.C., is requesting a variance from the side yard setback requirements of the RP District (section 86-434(f)(5)) to accommodate the continued use of an existing structure that serves as a connector between the buildings at 2356 Science Parkway and 2310 Science Parkway (the "Building Connector"). The Building Connector was constructed in 1998 and has been in continuous use since that time. The Building Connector is extensively used by K & H Properties, L.C., its tenants that occupy 2356 Science Parkway, and the adjacent property owner at 2310 Science Parkway. K & H Properties, L.C., does not intend to expand or externally alter the Building Connector.

The Building Connector was installed pursuant to a Special Use Permit issued by Meridian Charter Township in August of 1998 (#98101). However, approval for such permit was granted with a number of conditions that have not all been met prompting the need for the requested variance.

Review Criteria:

1. Unique circumstances exist that are peculiar to the land or structure that are not applicable to other land or structures in the same zoning district.

To our knowledge, the Building Connector, which straddles the property line between 2356 Science Parkway and 2310 Science Parkway, is not replicated elsewhere within the RP District. The Building Connector was constructed in 1998 and has been continuously used and maintained since that time.

2. These special circumstances are not self-created.

As mentioned above, the Building Connector was installed pursuant to a Special Use Permit issued by Meridian Charter Township in August of 1998 (#98101). However, approval for such permit was granted with a number of conditions that have not all been met. To date, permit revocation by Meridian Township has not occurred based upon the failure to meet all permit conditions.

3. Strict interpretation and enforcement of the literal terms and provisions of the Ordinance would result in practical difficulties.

Without approval of the requested variance, the existing nonconforming structure would have to be removed.

4. The alleged practical difficulties, which will result from a failure to grant the variance, would unreasonably prevent the owner from using the property for a permitted purpose or would render conformity with such restrictions unnecessarily burdensome.

Without approval of the requested variance, the existing nonconforming structure would have to be removed at considerable expense. Removal of the Building Connector would eliminate a structure that has become a critical operational component of the buildings at 2356 Science Parkway and 2310 Science Parkway.

5. Granting the variance is the minimum action that will make possible the use of the land or structure in a manner which is not contrary to the public interest and which would carry out the spirit of this zoning ordinance, secure public safety, and provide substantial justice.

Approval of the variance will merely allow for the Building Connector to meet minimum side yard setback requirements. Underlying zoning and use of the property will continue to comply with all other applicable Township zoning provisions. Additionally, approval of the variance request will provide for the continued use of the Building Connector and satisfy all conditions of the previously issued Special Use Permit.

6. Granting the variance will not adversely affect adjacent land or the essential character in the vicinity of the property.

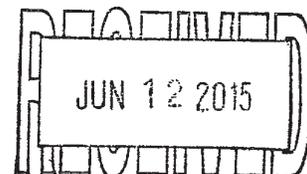
Approval of the variance request will be of significant benefit to the adjacent property owner because it will allow for the continued use of the Building Connector. The Building Connector has been in place for 17 years, so its continued use should not affect the essential character in the vicinity of the property.

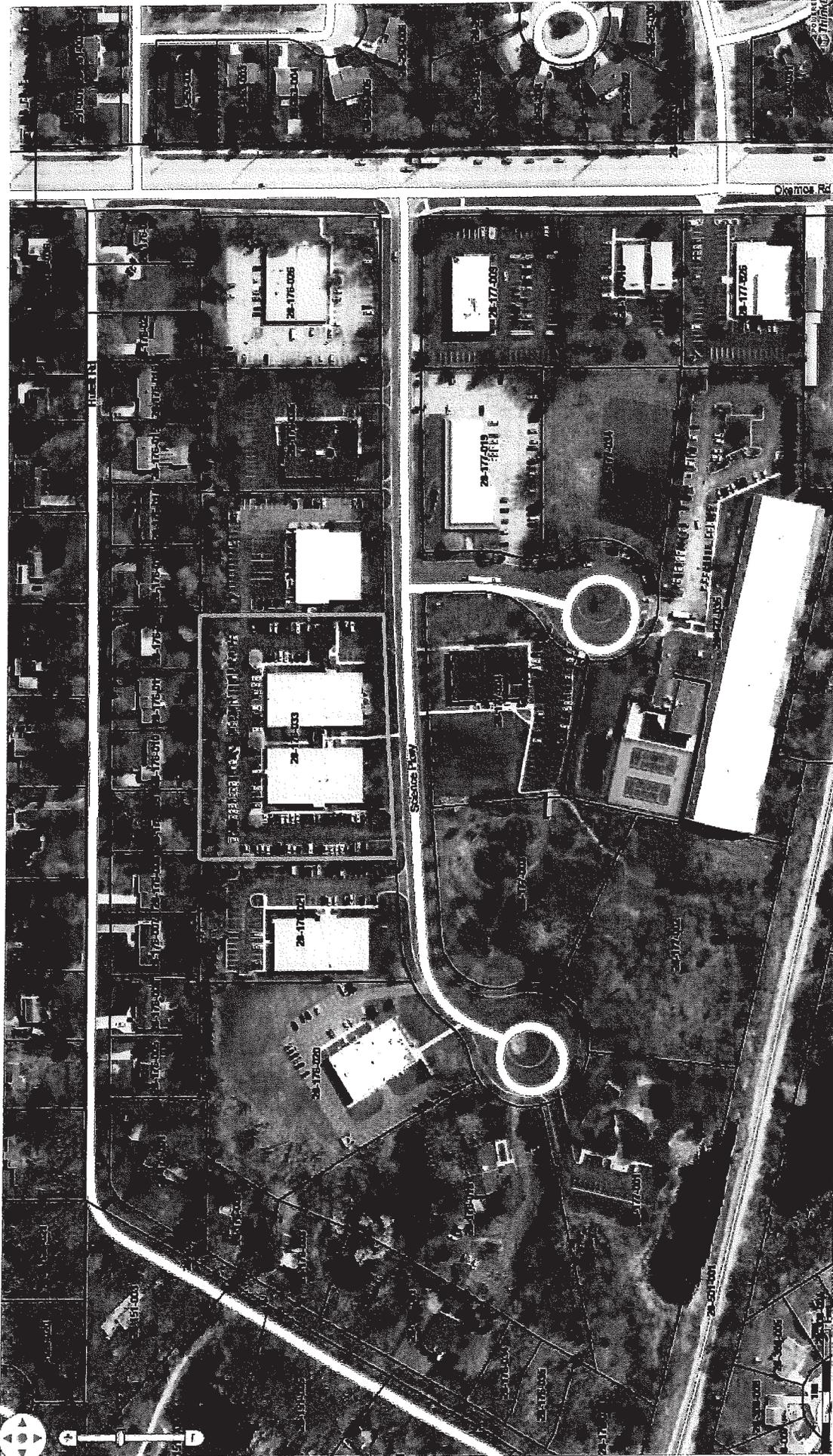
7. The conditions pertaining to the land or structure are not so general or recurrent in nature as to make the formulation of a general regulation for such conditions practicable.

To our knowledge, the Building Connector is unique.

8. Granting the variance will be generally consistent with public interest, the purposes and intent of this Zoning Ordinance.

Approval of the variance will merely allow for the Building Connector to meet minimum side yard setback requirements. Underlying zoning and use of the property will continue to comply with all other applicable Township zoning provisions.



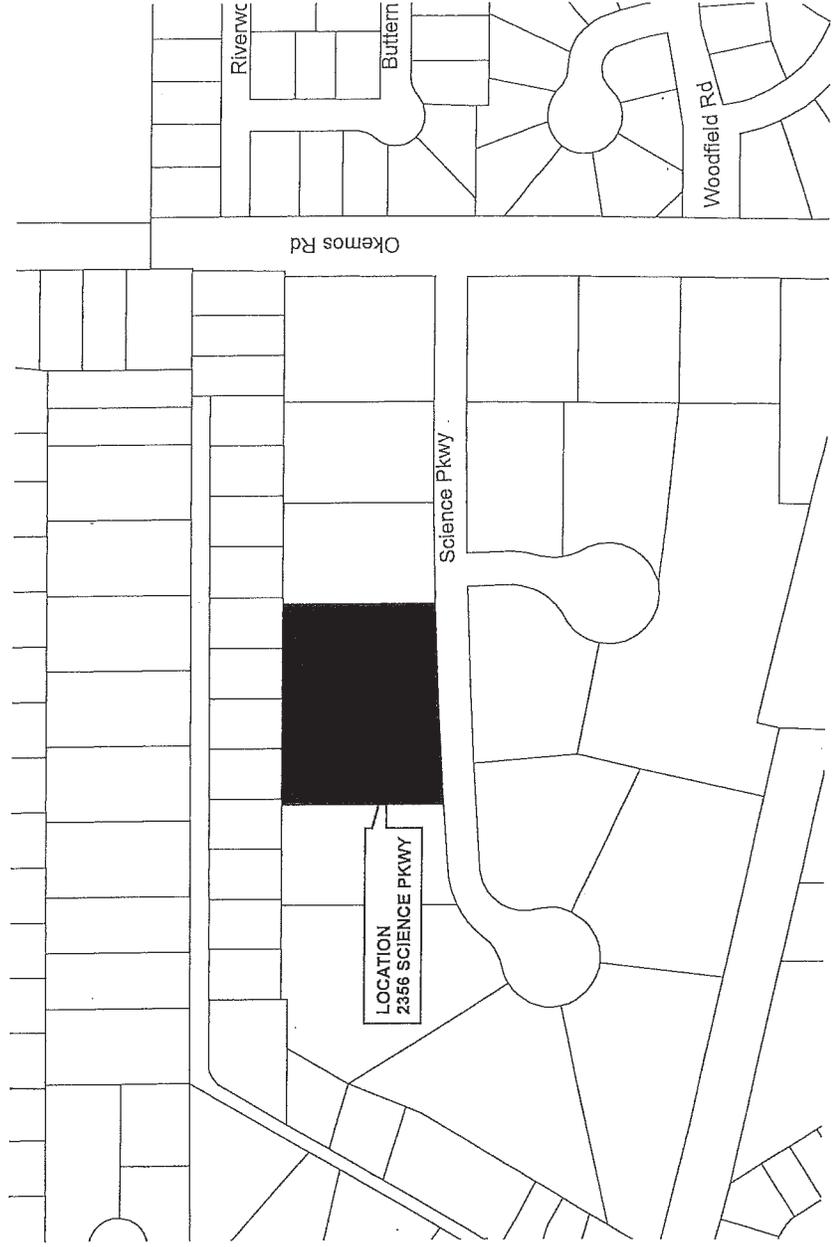
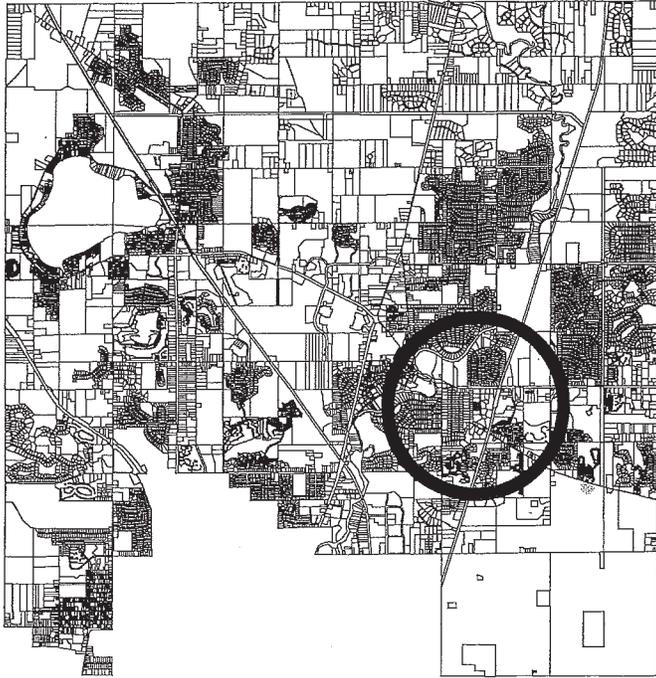


JUN 12 2015

**ZONING BOARD OF APPEALS #15-07-08-2
(K & H PROPERTIES, L.C.)**

**REQUEST A VARIANCE TO ALLOW
AN EXISTING BUILDING (ENCLOSED
WALKWAY) TO BE LOCATED ZERO
FEET FROM SIDE (EAST) LOT LINE
AT 2356 SCIENCE PARKWAY**

CHARTER TOWNSHIP OF MERIDIAN



CHARTER TOWNSHIP OF MERIDIAN

Bruce A. Little Supervisor
Mary M.G. Helmbrecht Clerk
Thomas E. Klunzinger Treasurer
Gerald J. Richards Manager



Bill McCullough Trustee
Susan McGillicuddy Trustee
Kirk K. Squiers Trustee
Andrew J. Such Trustee

August 25, 1998

Mr. Howard Weyers
K & H Properties, LLC
3782 Thistlewood Drive
Okemos, MI 48864

RE: Special Use Permit #98101

Dear Mr. Weyers:

At its regular meeting held on August 24, 1998, the Planning Commission voted to approve Special Use Permit #98101, to construct a building addition (enclosed walkway) to connect a group of existing buildings, located at 2310, 2356, and 2370 Science Parkway. Approval was granted with the following conditions:

1. Approval is granted in accordance with the site plan prepared by Keystone Design Group, dated August 7, 1998, subject to revisions as required.
2. The final site plan shall be subject to the approval of the Director of Community Planning and Development.
3. The final utility, grading, and storm drainage plans shall be subject to the approval of the Director of Engineering and Public Works and shall be completed in accordance with the Township Engineering Design and Construction Standards.
4. Prior to any construction, all necessary permits and approvals from the Ingham County Drain Commissioner's office and Township shall be secured. A copy of the approvals shall be submitted to the Department of Community Planning and Development.
5. Prior to construction, the applicant shall either provide the necessary off-street parking, or obtain approval of a variance from the Zoning Board of Appeals to comply with the required amount of off-street parking for the site.
6. Prior to construction, the applicant shall combine the two (2) separate parcels into a single lot.

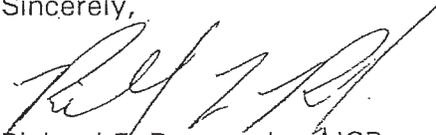
Mr. Howard Weyers
August 25, 1998
Page 2

Decisions by the Planning Commission regarding Special Use Permits may be appealed to the Township Board. Such an appeal would have to be made within 10 days of the date of the Planning Commission's action and must be in accordance with Section 87-1.4 of the Code of Ordinances. Consequently, your Special Use Permit will not become valid until September 4, 1998.

The next step in the process is for you to apply for and receive site plan approval and any applicable variances from the Zoning Board of Appeals. As is customary, this letter shall act as the Special Use Permit for your request. The use permitted by the granting of a Special Use Permit must have commenced within one year after issuance or the permit shall become null and void.

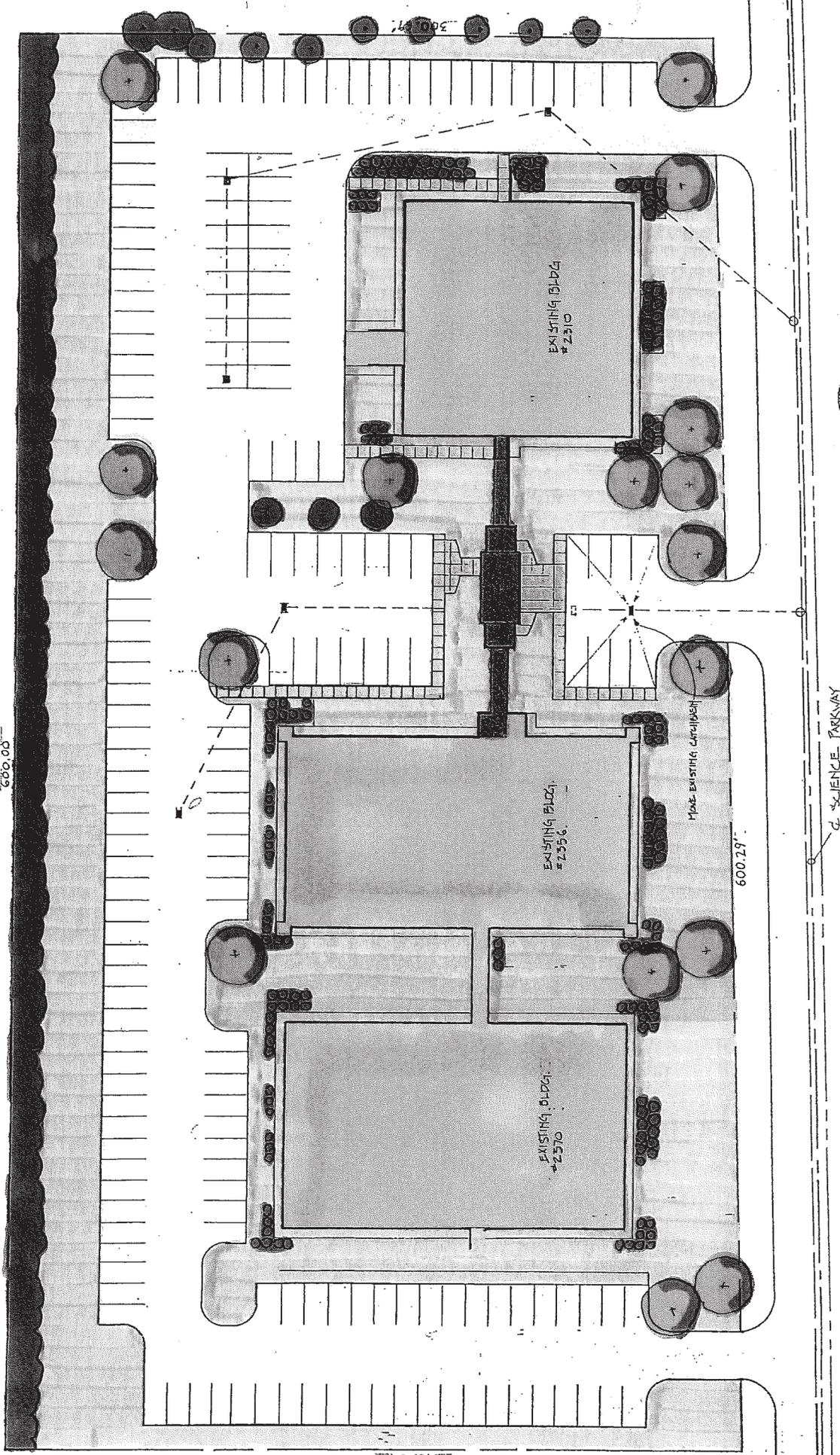
If you have any questions regarding this matter, please contact me at (517) 349-1200, ext. 373.

Sincerely,



Richard F. Brown, Jr., AICP
Associate Planner

cc: Keystone Design Group, Inc.
Walt Aven
Troy Langer
Jennifer Cram

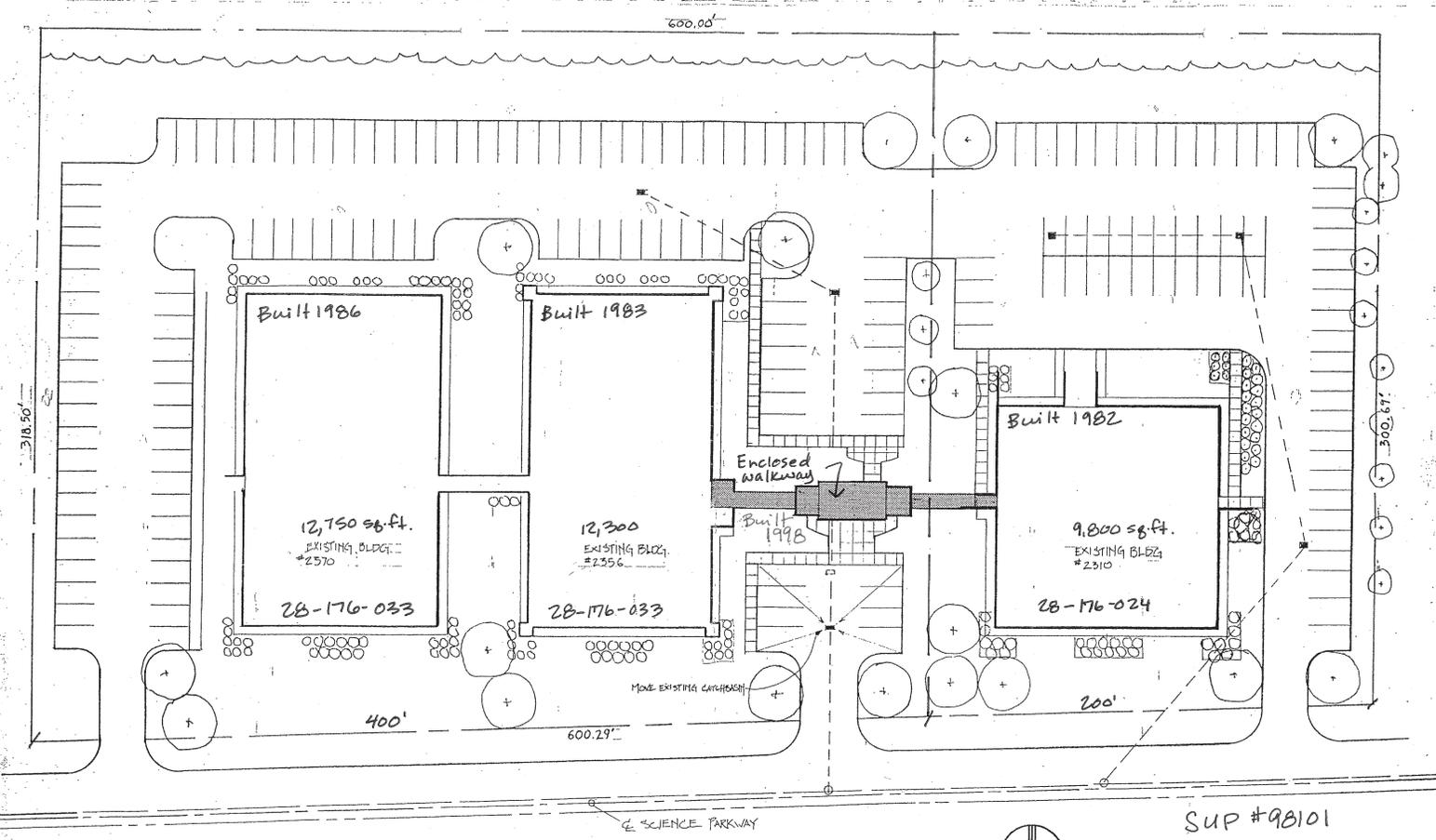


SITE PLAN 1:40

A NEW ENTRY/CONNECTOR FOR:
WEYCO, INC.
 2370 SCIENCE PARKWAY
 OAKMAN, MICHIGAN
 DATE - 06/07/98 COMMISSION NUMBER - 96039

Keystone
 DESIGN GROUP | **Architects**

Phone : (517)-394-3000
 Fax : (517)-394-5610
 1120 Keystone Avenue
 Lansing, Michigan 48911-1022

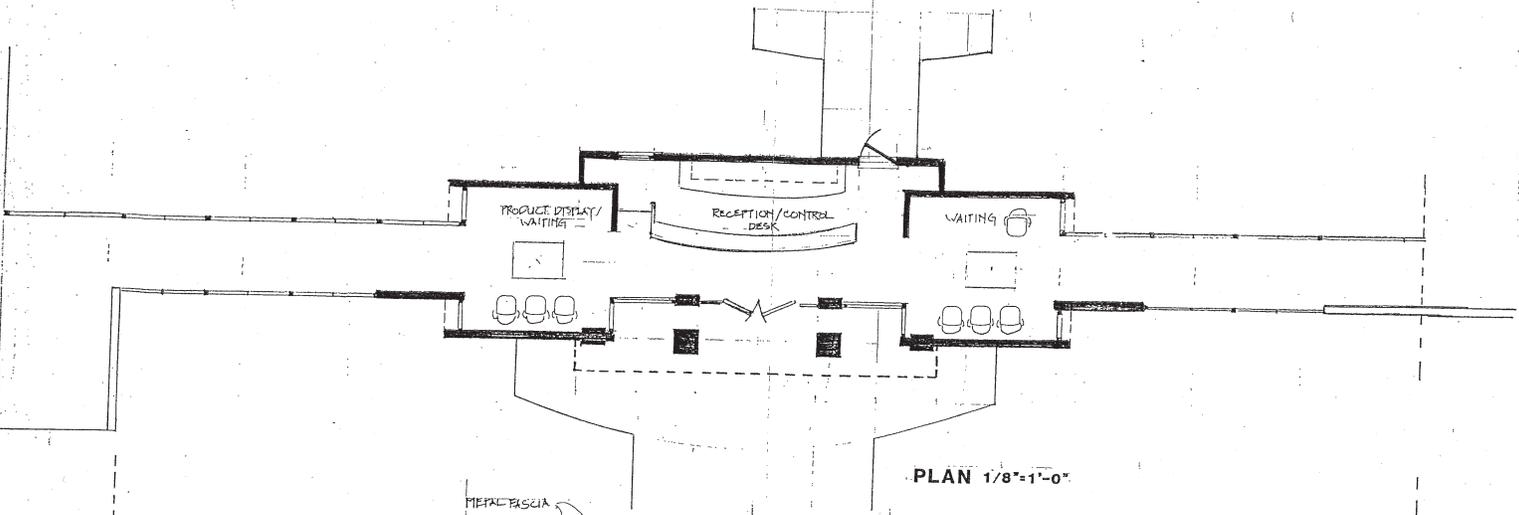


Keystone
 Phone : (517)-394-3800
 Fax : (517)-394-5610
 1120 Keystone Avenue
 Lansing, Michigan 48911-4032

SITE PLAN 1:40



SUP #98101
 A NEW ENTRY/CONNECTOR FOR :
WEYCO, INC.
 2370 SCIENCE PARKWAY OKEMOS, MICHIGAN
 DATE - 08/07/98 COMMISSION NUMBER - 98039



PLAN 1/8"=1'-0"



FRONT ELEVATION 1/8"=1'-0"

A NEW ENTRY/CONNECTOR FOR :

WEYCO, INC.

2370 SCIENCE PARKWAY OAKMONT, MICHIGAN
 DATE - 08/07/98 COMMISSION NUMBER - 99034

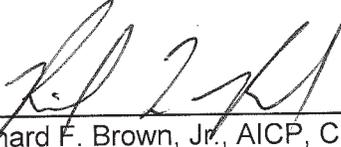
SUP #98101 3 of 3

Keystone
 DESIGN GROUP | **Architects**
 Phone 1: 517-394-3800 Fax 1: 517-394-5610
 1120 Keystone Avenue
 Lansing, Michigan 48911-4632

MEMORANDUM

TO: Zoning Board of Appeals

FROM:


Richard F. Brown, Jr., AICP, CBSP
Associate Planner

DATE: July 3, 2015

RE: ZBA Case No. 15-07-08-3

ZBA CASE NO.: 15-07-08-3, BIG RAY'S EXPRESS LUBE, 2700 E. GRAND RIVER, SUITE 1, EAST LANSING, MI 48823

DESCRIPTION: 2700 E. Grand River, Suite 1
TAX PARCEL: 17-460-003
ZONING DISTRICT: C-2 (Commercial)

The applicant is requesting a variance from the following section of the Code of Ordinances:

- Section 86-687(4)a, which states one freestanding sign per parcel shall be permitted, except on a site with 500 feet or more of contiguous frontage on one street and more than one point of access on that street may have one additional freestanding sign. If two freestanding signs are located on a site based on this provision, a minimum of 250 feet shall separate the signs.

The applicant is requesting a second freestanding sign at 2700 E. Grand River, also known as the Auto Care Mall. Currently, there is a 25 square foot nonconforming freestanding sign which lists the names of the tenants of the shopping center, as well as the price for an oil change (see attached photo). The existing sign does not comply with the required ten foot setback from the right-of-way of Grand River Avenue. The leading edge of the sign is at the right-of-way line.

Starting back in December 2014, the applicant began placing illegal signs in front of the site. As each one was cited in December, February, March, and April, it was replaced by another illegal sign design. After a municipal civil infraction citation was issued on April 20, 2015, the applicant submitted a request for a variance to allow a second freestanding sign on the site.

The proposed second freestanding sign to replace the illegal portable sign would be 24 square feet in size and five feet in height. It would be located approximately 42 feet east of the existing freestanding sign. The new sign would meet the required 10 foot setback from the right-of-way line of Grand River Avenue, but as proposed does not comply with requirement for including the an address.

The subject site has one direct point of access from Grand River Avenue and one indirect point of access via the service drive paralleling Grand River Avenue. The subject site does not have the minimum of 500 feet of frontage required by Section 86-687(4)a for a second freestanding

sign, as it contains 245 feet of frontage on Grand River Avenue.

Should the second freestanding sign be approved, the combined total surface display area of the two freestanding signs, not including street addresses, would be 49 square feet.

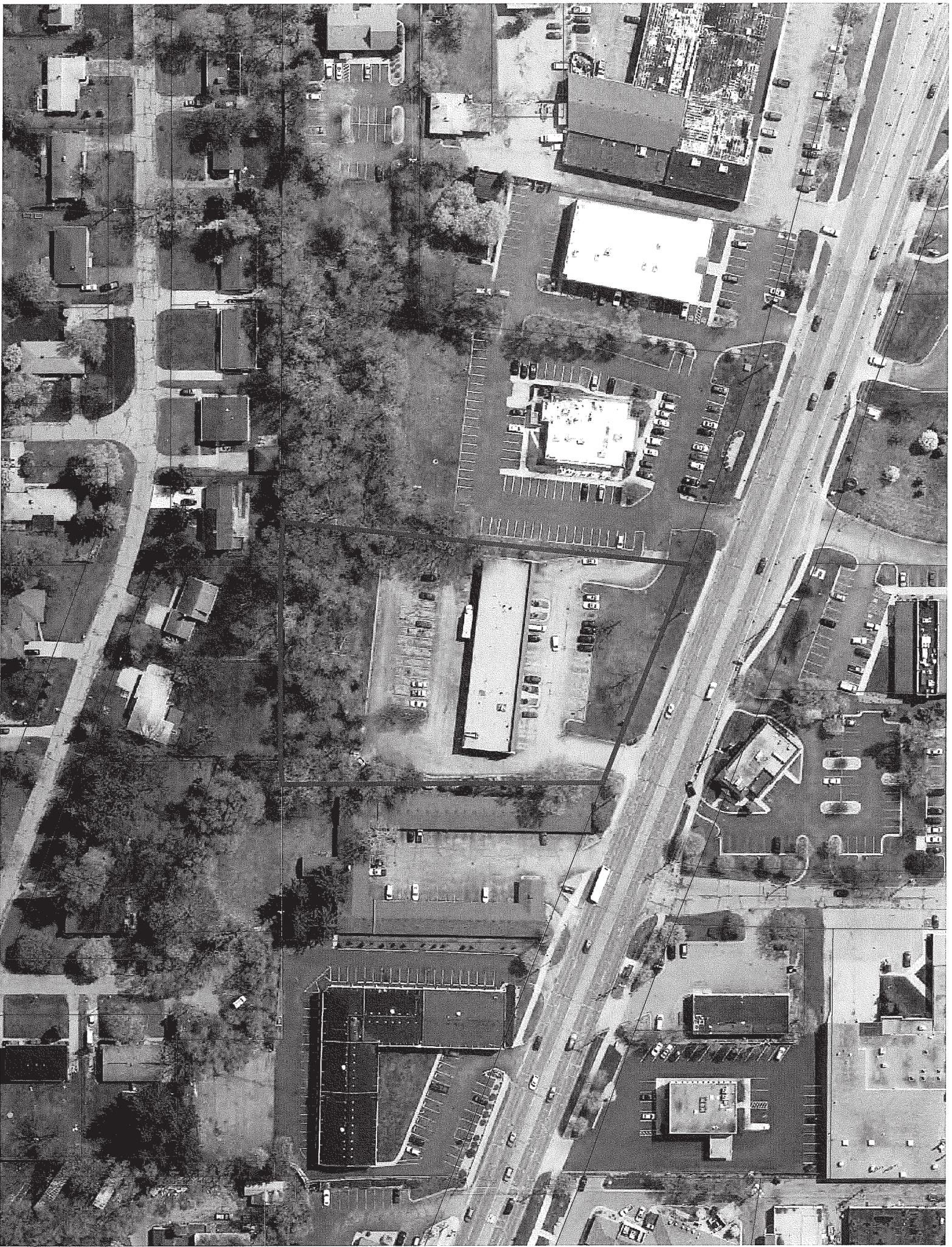
The existing freestanding sign could be relocated to a more visible and compliant location on the site.

Site History

- The Auto Care Mall was constructed in 1986 and contains 16,673 square feet of floor area.
- The current freestanding sign was installed in 1987 pursuant to Building Permit #16724.
- Two variances were requested (and denied) in 1987 to allow a cold air balloon on the building for its grand opening.

Attachments

1. Site location map and aerial photo
2. Application materials and applicant photos
3. Survey/plans
4. Photo of existing signage
5. Building permit #16724 materials related to the sign
6. Minutes from ZBA Case #87-03-11-4





PARK LAKE ROAD

MANSFIELD DRIVE

GRAND RIVER AVENUE

DAWN AVENUE

2703

2691

2684

2671

2663

2672

5057

5050

5052

2691

2683

2671

2663

2655

2653

2647

2645

2637

2635

2635

5066

2635

5056

2636

2736

2722

5019

2662

2650

2668

2667

2655

2649

2669

2703

2701

4960

4954

4948

CHARTER TOWNSHIP OF MERIDIAN
PLANNING DIVISION
5151 MARSH ROAD, OKEMOS, MI 48864
(517) 853-4560

VARIANCE APPLICATION

- A. Applicant BIG RAY'S EXPRESS LUBE
Address of Applicant 2700 E. Grand River Ave STE 1 East Lansing MI 48823
Telephone (Work) 517 253 0434 Telephone (Home) _____
Fax _____ Email address: Big Ray's East Lansing@gmail.com
Interest in property (circle one): Owner Tenant Option Other
- B. Site address/location 2700 E Grand River Ave STE 1
Zoning district _____ Parcel number _____
- C. Nature of request (Please check all that apply):
 Request for variance(s)
 Request for interpretation of provision(s) of the "Zoning Ordinance" of the Code of Ordinances
 Review an order, requirements, decision, or a determination of a Township official charged with interpreting or enforcing the provisions of the "Zoning Ordinance" of the Code of Ordinances

Zoning Ordinance section(s) _____

- D. Required Supporting Material Supporting Material if Applicable
-Property survey -Architectural sketches
-Legal description -Other
-Proof of property ownership or approval letter from owner
-Site plan to scale
-Written statement, which demonstrates how all the review criteria will be met (See next page)

[Signature] Mike Raydon 5/13/15
Signature of Applicant Print Name Date

Fee: \$200.00 Received by/Date: [Signature] 5/14/15

I (we) hereby grant permission for members of the Charter Township of Meridian Zoning Board of Appeals, Township staff members and the Township's representatives or experts the right to enter onto the above described property (or as described in the attached information) in my (our) absence for the purposes of gathering information including but not limited to the taking and the use of photographs. (Note to Applicant(s): This is optional and will not affect any decision on your application.)

[Signature] 5/13/15
Signature of Applicant(s) Date

Signature of Applicant(s) Date

Statement

Thank you in advance for your time and consideration on this matter. The reasons we feel we should be granted a variance to build our own free standing sign are below. The circumstances in which we need a free standing sign are unique and not caused by any fault of our own. I have included pictures of our facility on the way to our building from both directions, as well as pictures looking towards the road from our facility so that way you can see how extremely difficult it is to see our current free standing sign and building. The Building we are currently located in sits further off the roadway then other properties in the area already making it difficult to see from the street. Also our building and free standing sign sit higher than the road way making it so you have to look over a hill of grass to be able to see our current free standing sign. The property that sits to the immediate west to us is an apartment complex that extends past the front of our building up towards the road. It is an older structure and it was built closer to the road then most of the businesses on this section of East Grand River Ave... On the immediate east side of the plaza we are located there is Sparrow which is also closer to the road then our building also making it difficult for consumers driving down the road to see our business and our current free standing sign. With these building to the immediate east and west of our location sticking so close to the road our customers cannot see your current plaza's free standing sign nor can they see our building until they are passing it. Also the current free standing sign has several older trees' blocking its view as our customers are driving right by not being able to see the sign. The current ordinances in place make it so we cannot remove the trees so that our free standing sign can be seen. These Structures blocking the view of the plaza and free standing sign makes it extremely difficult to build any new business in Meridian Township. We have placed a temporary free standing sign out by the road at other points in time and we received a dramatic increase in business, where without the temporary sign we are at the point of almost going out of business. We are a growing company a great portion of our business is from visibility from consumers driving by seeing our sign and or business and stopping in. Without the proper adequate signage this is a hard task to accomplish. We have customers that see some of our other ways of marketing via (flyers, direct mail, Etc.) that will call us because they cannot find our business with the current approved signage. Where we would like to put a new free standing sign is already free of trees and other greenery. It will not block the viewing of any other businesses signs or buildings nor will it block the view of traffic or sidewalks. It will not affect any of the adjacent land. Without the granting of this variance we are not sure that our growing small business will be able to thrive in Meridian Township like some of our other locations have. The reason for this being without our customers being able to locate our signage to find our place of business we are unable to grow with the marketing that we are currently doing. It is making it extremely difficult for the citizens of Meridian Township and the surrounding areas to take advantage of our fantastic services we offer. We feel granting us this variance will benefit us with growing our business, having our business here will attract new consumers to the area which will in turn help other business thrive and bring in more tax money for Meridian Township. If we do not get the chance to have our own free standing sign there is a good chance that our small business will not succeed in Meridian Township and with a granted variance and our own free standing sign we feel we would be able to thrive in Meridian Township.

BITUMINOUS PARKING

CURB

PROPOSED SIGN
4'x6', FACES
ON
SINGLE POST ON
CONCRETE BASE

• 2.8" TREE

STREET
RIGHT-OF-WAY
LINE

GRAND RIVER AVENUE

7' CONC. SIDEWALK

156.48'

EXISTING SIGN

14" TREE

SANITARY MANHOLE

62'

N 67°56'19" W

CONC. APPROACH

BITUMINOUS DRIVE

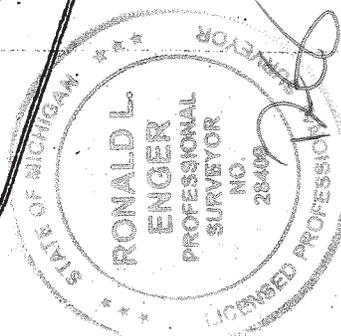
CURB

133.94'

N 00°17'22" E

IRON ROD
SET

TAX ASSESSOR'S PARCEL NO. 3302-17-480-002
BLM ASSOCIATION C/O JOHN BRATTIN
2722 E MICHIGAN AVE. SUITE 208
LANSING, MICHIGAN 48912



SIGN SITE PLAN - DETAIL

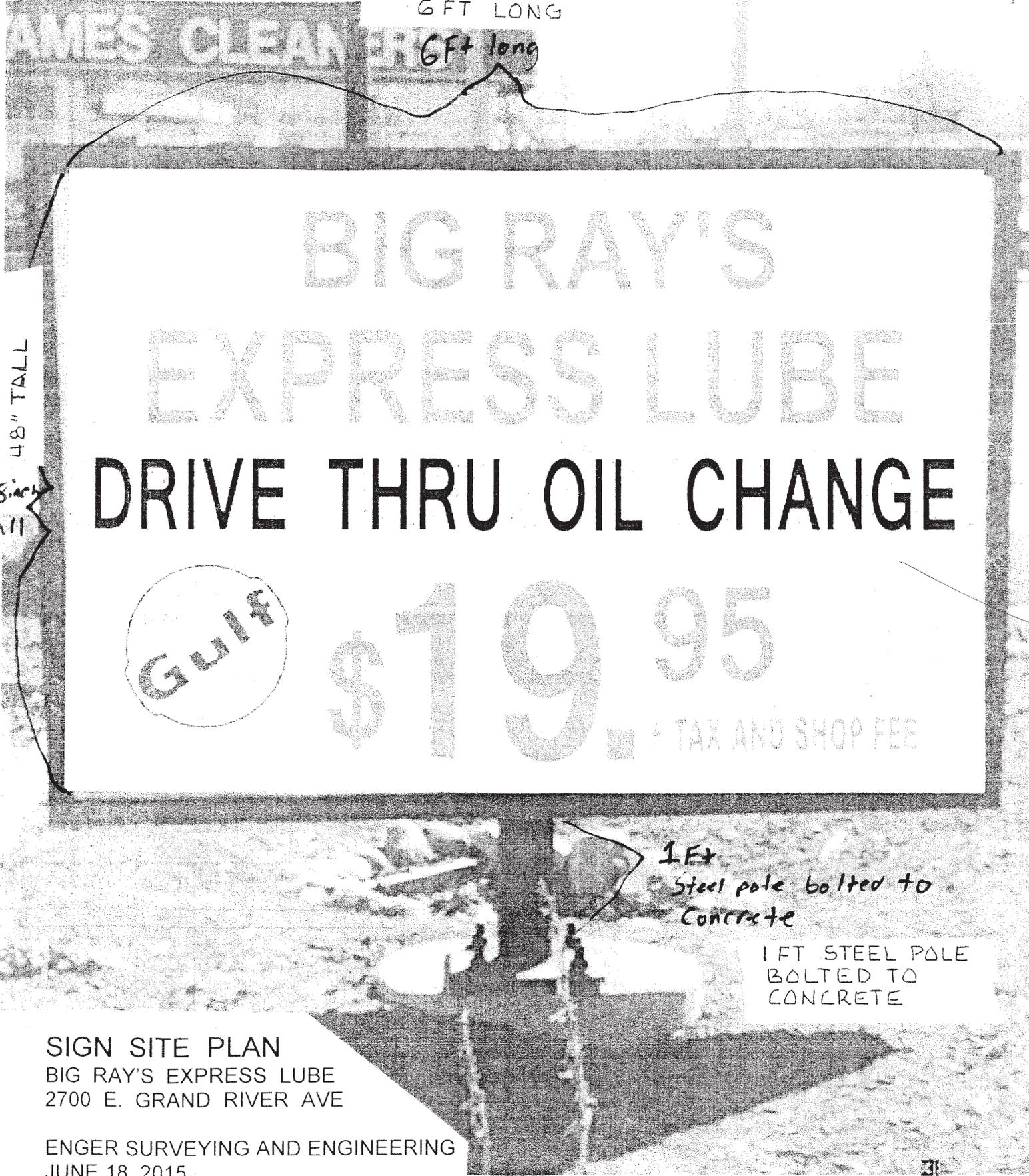
BIG RAY'S EXPRESS LUBE
2700 E. GRAND RIVER AVE

SCALE 1" = 20'

ENGER SURVEYING AND ENGINEERING

JUNE 18, 2015

SHEET 2 OF 3



6 FT LONG

6 FT long

48" TALL

5.00

BIG RAY'S
 EXPRESS LUBE
 DRIVE THRU OIL CHANGE



\$19.95
 + TAX AND SHOP FEE

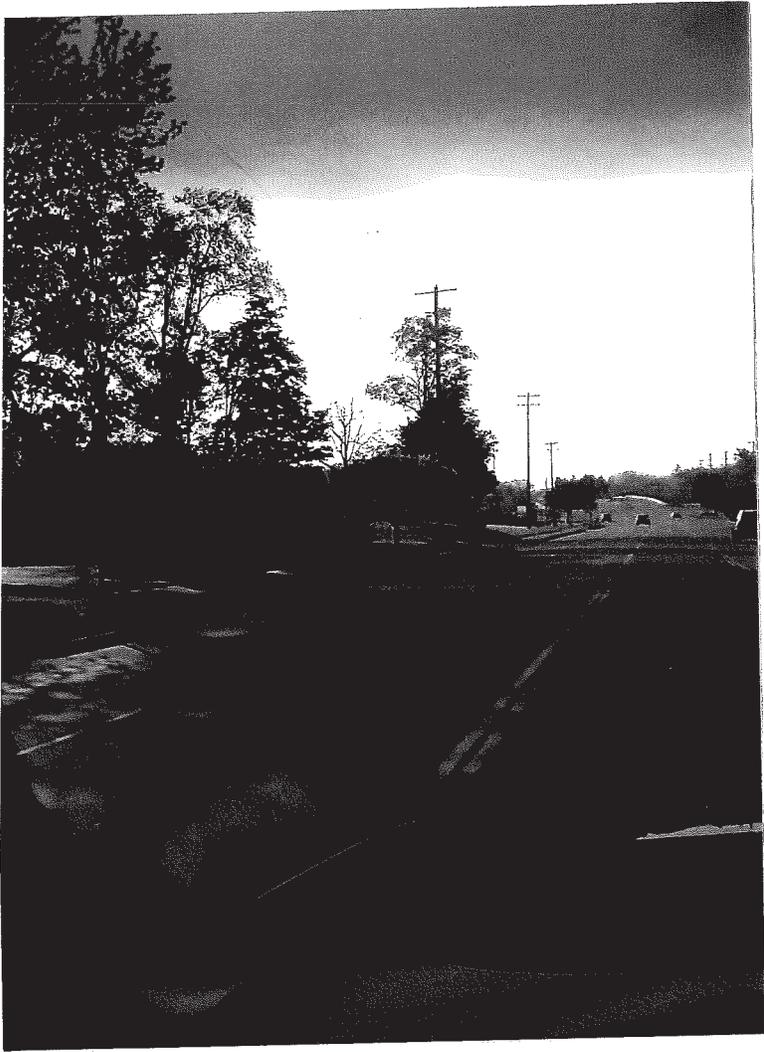
1 FT
 Steel pole bolted to
 Concrete

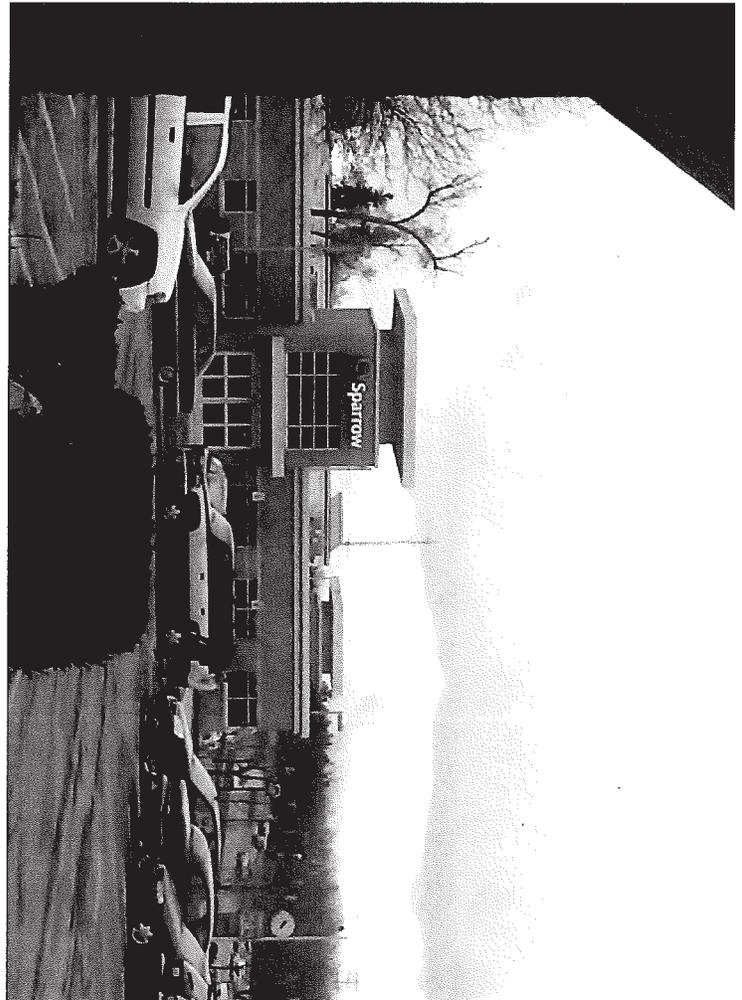
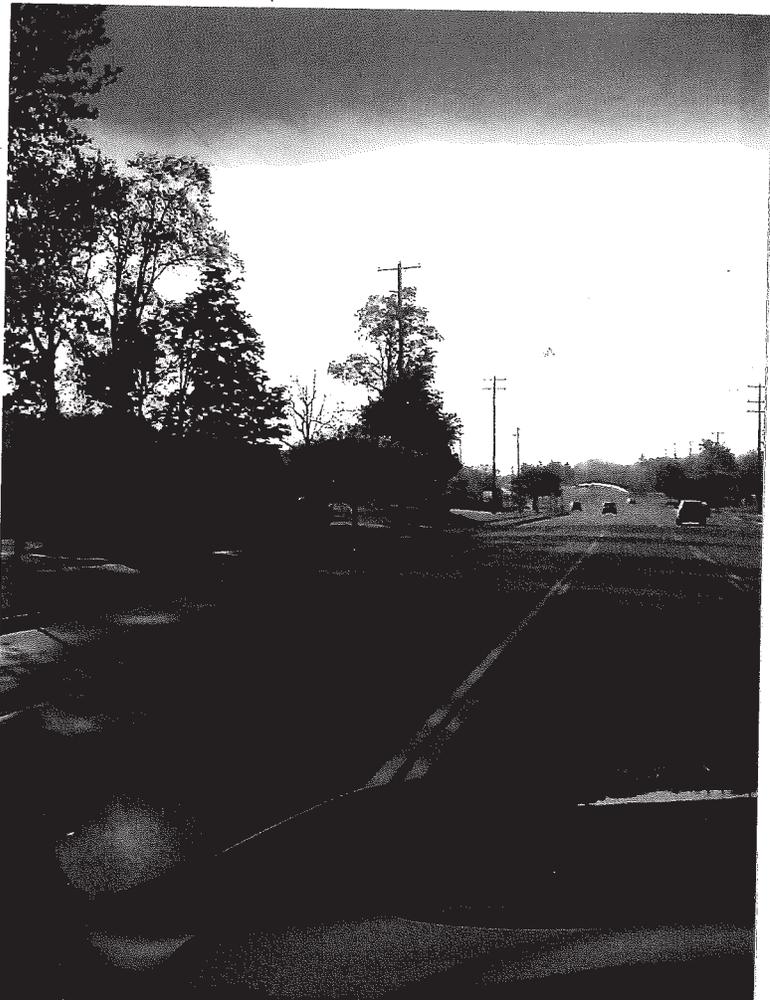
1 FT STEEL POLE
 BOLTED TO
 CONCRETE

SIGN SITE PLAN
 BIG RAY'S EXPRESS LUBE
 2700 E. GRAND RIVER AVE

ENGER SURVEYING AND ENGINEERING
 JUNE 18, 2015
 SHEET 3 OF 3







East January
Auto Pros
Oil Change & Car Wash
OIL CHANGE \$19.95
AUTO TECH
Tires & Car Wash
324 - 9000

2700

OIL CHANGE
\$19.95
DRIVE THRU



BUILDING PERMIT APPLICATION
CHARTER TOWNSHIP OF MERIDIAN
5151 MARSH ROAD
OKEMOS, MICHIGAN 48864

PLEASE PRINT

Date 1/5/86

Application to: Erect Remodel Add to Raze Move Fire Repair Repair Erect Sign

Describe Work: install Sign Free Standing

Job Address	<u>2700 Grand River</u>			Post Office	<u>Okemos</u>
Legal Descr.	Lot No.	Blk.	Subdivision	Assessing Code, If Unplatted	
Owner	Mail Address		ZIP	Phone	
<u>Stamper</u>	<u>Spike Rd. Ton.</u>				
Contractor	Mail Address		ZIP	Phone	License No.
<u>Tumell Associates</u>	<u>2153 S. Main St. Ton.</u>		<u>48911</u>		
Architect or Designer	Mail Address		ZIP	Phone	Registration No.
Engineer	Mail Address		ZIP	Phone	Registration No.

Size of Building _____ Valuation of Work \$3500.00 Permit Fee \$25.00

NOTICE

THIS PERMIT BECOMES NULL AND VOID IF WORK OR CONSTRUCTION IS NOT COMMENCED WITHIN 6 MONTHS, OR IF WORK OR CONSTRUCTION IS SUSPENDED OR ABANDONED FOR A PERIOD OF 6 MONTHS AT ANY TIME AFTER WORK IS COMMENCED.

A TRUE COPY OF THE PLANS OF SAID BUILDING ARE ATTACHED. IT IS UNDERSTOOD THAT ALL PROVISIONS OF LAWS AND ORDINANCES GOVERNING THIS TYPE OF WORK WILL BE COMPLIED WITH WHETHER SPECIFIED HEREIN OR NOT. THE GRANTING OF A PERMIT DOES NOT PRESUME TO GIVE AUTHORITY TO VIOLATE OR CANCEL THE PROVISIONS OF ANY OTHER STATE OR LOCAL LAW REGULATING CONSTRUCTION OR THE PERFORMANCE OF CONSTRUCTION.

Signature of Applicant Alvin Tumell (Date) 1/5/87

Permit to be sent to: Owner Contractor Other _____

Water: Private Public
 Permit No. _____
 Sewage: Private Public
 Permit No. _____

Storm Drain Approved Denied
 Twp. Engineer _____

Zoning District CS Occupancy Group B2 Sidwell No. 17-160-003

Existing Structure or Use Conforming Nonconforming

If Nonconforming Assessed Value of Structure _____

Proposed Construction or Use Conforming Nonconforming

If Nonconforming Variance Approved Denied Date _____

Fire Sprinklers Required Yes No

Application Accepted By: H. Durbin Date 1-5-87

Approved Building Official (Date) _____
 Denied B. ... 1/6/87

Fee Received 35.00 Date 1-5-87

By John Sampson Receipt No. 12

Building Permit Number 16724

Date of Issue 1/6/87

SPECIAL CONDITIONS:
THE SIGN MAY BE LOCATED IN THE FRONT YARD WITH THE LEADING EDGE AT LEAST 10 FEET FROM THE STREET RIGHT-OF-WAY LINE. ALL SIGNS SHALL COMPLY WITH SECTION 85 OF THE MERIDIAN CODE OF ORDINANCES.

TA TERRELL ASSOCIATES SIGNS & DISPLAYS

ELECTRIC, NEON & PAINTED SIGNS
Screen Printing — Displays
HIGHEST QUALITY AT REASONABLE PRICES

900 South Cedar Street
Lansing, Michigan 48912
(517) ~~485-6600~~

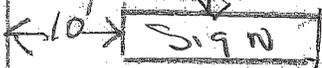
8971500

Auto Care Center

2700 Grand River

Drive

20'



SIGN 25' Sq Feet
5' x 5''
5' to bottom

Drive

S

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MEMBER HOTALING MOVED THAT THE VARIANCE BE GRANTED TO OVERCOME THE 30% ACCESS OF THE ASSESSED VALUE AND TO OCCUPY A LEGAL NON-CONFORMING STRUCTURE THAT HAS BEEN ABANDONED AND TO WAIVE THE TEN (10) DAY WAITING PERIOD. Supported by Member Halverson.

Roll call vote.

YES: Chair Mostosky, Members Hotaling, Halverson.

NO: None

Motion passes. VARIANCES FOR CASE NO. 87-3-11-3 APPROVED.

4. CASE NO. 87-3-11-4, Steve Thomas, 726 Dunlap, Lansing, MI 48910

DESCRIPTION: 2700 E. Grand River Avenue.

ZONING DISTRICT: CS (Community Service).

The applicant is requesting two variances from the Code of Ordinances. One from Section 85-5 and one from Section 85-5.2 of the Code of Ordinances.

(1) Section 85-5 stipulates that signs not expressly permitted by the Code of Ordinances is prohibited. The applicant has proposed to erect a cold air flow balloon that is 18 feet tall and 25 feet in diameter at 2700 E. Grand River Avenue for a temporary grand opening. The Code of Ordinances does not presently address a sign of this type. A variance to permit a sign not expressly permitted by the Code of Ordinances is being requested.

(2) Section 82-5.2 stipulates that signs may not project above the roof line or cornice of a building. The applicant has proposed to erect a balloon that is 18 feet tall and 25 feet in diameter on the roof of a building located at 2700 E. Grand River Avenue. A variance to allow a temporary grand opening sign to project above the roof line is being requested.

Richard Harlow outlined the proposed request and its location at which time the hearing was open for discussion.

The applicant, Steve Thomas, Top Value Muffler, was present to answer questions.

Chair Mostosky stated that the section in the Ordinance has been challenged in court and has been sustained by the courts. We have the legal power to prohibit.

Member Hotaling stated that the Township Board would be the only one upon recommendation of the Planning Commission that can amend the ordinance and that the appropriate action would be for the applicant to proceed with an amendment to the Zoning Ordinance.

MEMBER HOTALING MOVED THAT THE VARIANCES AS REQUESTED FOR CASE NO. 87-3-11-4 BE DENIED. Supported by Member Halverson.

Roll call vote.

YES: Chair Mostosky, Members Hotaling, Halverson

NO: None

Motion denied. VARIANCES FOR CASE NO. 87-3-11-4 DENIED.