

Present: Chairperson Tillman; Vice-Chairperson Raeder; Members: Eifrid, Lepidi, Maxwell, Mitchell; Alternate: Gatowski

Absent: Members: Crossen, Donnelly, Verdi-Hus; Alternate: Hynes

Also Present: Planning and Zoning Administrator, Wilks
Council Liaison, Abboud

Zoning Board Chairperson Tillman called the regular Zoning Board of Appeals meeting to order at 7:30 p.m. in the Village of Beverly Hills municipal building at 18500 W. Thirteen Mile Road.

REVIEW AND CONSIDER APPROVAL OF MINUTES OF A REGULAR ZONING BOARD MEETING HELD DECEMBER 12, 2016

Motion by Mitchell, second by Raeder, that the minutes of the regular Zoning Board of Appeals meeting held December 12, 2016 be approved as submitted.

Motion passed.

PUBLIC COMMENTS ON ITEMS NOT ON THE AGENDA

None.

CASE NO. 1312 (re-hearing)

Petitioner: Frank Pfeiffer

Property: 30835 Vernon

Village Ordinance: 22.08.070 Corner Lot Setback on the Side Street in Residential Zone Districts All Residential Zone Districts require corner lots with an abutting interior lot maintain side open space of 40 feet for permitted accessory buildings.

22.08.100 (b) Accessory Buildings, Structures, and Uses in Residential Zone Districts All Residential Zone Districts prohibit accessory buildings to be erected in side open space.

Deviation Requested: To build a detached garage that is 5 feet from street side lot line and in side open space.

Wilks explained that she was contacted by Pfeiffer and he wished to withdraw his petition.

Motion by Raeder, second by Eifrid, to remove the case from the agenda.

Motion passed.

CASE NO. 1321

Petitioner: Michael Palmer, Premier Pet Supply

Property: 31215 Southfield Road

Village Ordinance: 22.32.110 Permanent Business Sign Standards Permanent wall signs in the B-Business District are limited to 30 square feet and 30% internal illumination.

Deviation Requested: To build a wall sign that is 108 square feet and 100% internally illuminated.

Wilks explained petitioner Michael Palmer, Premier Pet Supply, 31215 Southfield Rd, is seeking a variance from requirements of Section 22.32.110 to install a new wall sign that exceeds the allowable square footage and allowable internal illumination. The property is zoned B-Business. Village Ordinance, Chapter 22, Section 22.32.110 Permanent Business Sign Standards limits wall signs to 30 square feet and internal illumination to 30%. The petitioner seeks to remove an existing nonconforming wall sign and install a new wall sign similar in size and illumination. When the existing sign was installed in 2007, it complied with the ordinance in effect at that time. For comparison, the existing wall sign is 95 square feet and 100% internally illuminated, while the proposed sign would be 108 square feet and 100% internally illuminated. The proposed sign requires a variance of 78 square feet from size requirements and a second variance to permit 100% internal illumination.

Additionally, Section 22.32.095 (10) Sign spacing requires all signs be no closer than 20 feet from any other sign; however, the Planning Commission has discretion to reduce this spacing when existing conditions preclude an otherwise permissible sign. The Commission has allowed signs within this development to be located closer than 20 feet due to the existing conditions and placement of business spaces. Procedurally, if granted variances from requirements of 22.32.110, the sign permit application would still require approval by the Planning Commission.

In 2013, the Planning Commission and Council approved a complete overhaul of the sign ordinance after approximately two years of deliberation. At the joint meeting of Council and Planning held February 8, 2012, the rationale for reducing sign size and limiting internal illumination was discussed, and these minutes were provided to the Board for review. Furthermore, per 22.32.010 Purpose and Intent, part of the stated intent of the Village's sign ordinance is to discourage visual competition among businesses. Administration reviewed five existing wall signs in this development and the average size is 51 square feet. Three signs range between 25 and 36 square feet, and there are two larger signs at Premier Pet (95 sq ft) and Brady's (70 sq ft). If approved, this sign would exceed the square footage of the next closest sign by 38 square feet. This property is located within the Village's Overlay District which was created to enhance the Village's unique character. The Planning Commission's goal is to establish a sense of place within this area of the Village which includes consistency across commercial signage.

Lastly, Section 22.32.120 Nonconforming Signs, paragraph (4) Intent states that "it is the intent of this Section to encourage eventual elimination of signs that may, as a result of the adoption of this Section, become nonconforming over a period of time." The applicant has the right to retain the existing nonconforming sign, but removal and installation of an even larger sign could be viewed as contrary to the intent of the Village sign regulations.

Palmer explained that the company has changed their font and logo, and is looking to streamline their design to match at all locations. They have recently completed a remodel, doubled the space they use by expanding along the rear of the building, and are occupying 51% of the building space in the development. He explained that business has been flat, and he feels the built-out wall from

Market Fresh blocks the visibility of his business from Southfield Road. The update of the sign would be the final part of the expansion, renovation, and rebranding of the business which hopefully results in growth for the company. Although the store front is 50 feet, the square footage of the store is much larger.

Eifrid explained that the direction of the Planning Commission and the Master Plan is to eliminate 100% internally illuminated signs. He inquired whether Palmer had explored other lighting options. Palmer explained that they were struggling to find sufficient visible lighting with such limited store frontage.

Discussion among the Board ensued regarding alternatives for lighting and sign display. Many expressed concern with the sign deviating too far from compliance in both size and illumination. Palmer agreed to return to his sign company and consult with their lighting expert on alternatives to his current sign.

Motion by Maxwell, second by Raeder, to table until the February 13, 2017 meeting.

Motion passed.

PUBLIC COMMENTS

None.

LIAISON COMMENTS

Abboud shared the Planning Commission's intent to put forth a tree ordinance as well as review the fence ordinance. He commended the ZBA for their work and thinks they will see an increase in home renovations this spring. He reported that Village Hall renovations are nearly completed, and consideration is being given to a logo redesign. He reminded the Board of the Council Study Session scheduled for January 14, 2017 and that any suggestions for this meeting could be emailed to him or administration.

ADMINISTRATION COMMENTS

Wilks updated the Board that a fence ordinance review was on the upcoming agenda for the Planning Commission.

ZONING BOARD COMMENTS

None.

Motion by Mitchell, second by Maxwell, to adjourn the meeting at 8:25 pm.

Motion passed.

Michele Tillman
Chairperson

Ellen Marshall
Village Clerk

Elizabeth Lyons
Recording Secretary