

**CITY OF LAPEER
MINUTES OF A REGULAR
ZONING BOARD OF APPEALS MEETING
MARCH 28, 2016**

A regular meeting of the City of Lapeer Zoning Board of Appeals was held in the Commission Chambers of Lapeer City Hall, 576 Liberty Park, Lapeer, Michigan on Monday, March 28, 2016 at 7:00 p.m.

Members Present: Chairman Joe Black, Vice Chairman Bernard Jocuns, Ms. Linda Ambrose, Mr. A. Wayne Bennett, Mr. Wes Butterfield and Mr. Jeff Hogan.

Members Absent: Mr. Paul Parsch.

Also Present: Mr. Doug Piggott, Rowe Professional Services Company Planning Consultant.

Chairman Black called the meeting to order at 7:00 p.m.

MINUTES

It was moved by Mr. Bennett and supported by Mr. Jocuns to approve the minutes of the meeting held on December 14, 2015 as presented. **MOTION CARRIED.**

PUBLIC COMMENTS

There were no public comments

PUBLIC HEARING SCHEDULED

ALDI, Inc. – Business Center Sign – Size Variance – 815 East St.

Mr. Piggott reviewed the request from ALDI, Inc. for a 24.1 sq. ft. variance per side to the size limitations of Section 7.15.05, Table 7.17.3 in order to construct a new business center monument sign at their new location at 815 East Street. Mr. Piggott reviewed the site location which is zoned B-2 General Business and stated ALDI will be demolishing the south end of the existing building and constructing a new grocery store in the former auto parts store space. Mr. Piggott stated the maximum square footage permitted for business center signs is 64 square feet per side, that the proposed sign will include signage for ALDI and four additional tenants of the center, that the proposed sign complies with height requirements, that the existing, non-conforming pylon sign will be removed, the new sign will be relocated further north along East Street and reviewed photos of the existing sign, aerial photos of the site and the new sign design.

Mr. Piggott reviewed the standards and conditions required in order to grant the requested variance and stated that the proposed sign is more conforming than the existing sign, that if the applicant were to reduce the size of the ALDI sign to 22.75 sq. ft. the sign would comply with the maximum square footage requirements and that if the request is approved no additional businesses in the center will be allowed separate free standing signs.

Discussion was held regarding the current and proposed sign locations and vegetation to be removed near the sign.

Mr. Chris Grzenkowicz, of Desine Inc., reviewed the positioning of the sign parallel with East Street, stated the new sign is being relocated further north in order to avoid an existing sanitary sewer line and that the goal in determining the proposed sign size was to insure the 4 other tenant sign panels were visible and readable while maintaining the corporate requirements for the ALDI sign. Mr. Grzenkowicz stated that the applicant feels the proposed sign size is a good balance, provides visibility from M-24 and that the sign will be internally lit, two sided and include a steel and aluminum cabinet.

Discussion was held regarding whether the shopping center has a name, visibility of the sign and the position of the sign to face M-24.

Chairman Black opened the public hearing at 7:15 p.m. There being no comments, the public hearing was closed.

Discussion was held regarding the fact the proposed monument sign will replace an outdated, non-conforming sign with a more conforming aesthetically pleasing sign, that although there will be signage on both sides, because of the sign orientation only one side will be visible to traffic on M-24 and East Street, the intent of the shopping center owner to improve the facade of the rest of the building attached to the ALDI store, new landscaping to be installed along East Street and ALDI's plan to be open by Thanksgiving.

After discussion, it was moved by Mr. Hogan and supported by Mr. Bennett to approve the request from ALDI, Inc. for a variance of 24.1 sq. ft. per side to Section 7.17.05 (Table 7.17.3) which is warranted due to existing practical difficulties with the site including the existing road curvature and the presence of structures along Main Street (M-24) that limit visibility for the commercial shopping center which is part of the M-24 shopping district (Section 7.22.04(f)(1)). The following standards support the requested variance:

- The inability to conform with the regulations is due to the number of suites within the commercial center and the square footage required for a sign showing multiple tenants (Section 7.22.04(g)(1)).
- The practical difficulties and unique conditions of the site is the limited exposure to Main Street (M-24) and thus requiring a larger sign on East Street as the original sign had but providing signage for multiple tenants within the existing commercial center (Section 7.22.04(g)(2)).
- Granting the variance will result in substantial justice for some of the business owners in the commercial complex; allowing for the removal of an existing nonconforming sign that promoted only one business to a sign (only nonconforming in 24 square feet) that will promote five businesses within the commercial complex (Section 7.22.04(g)(3)).
- The requested variance has proven to be the minimum necessary to allow for tenant space representation that can be seen from Main Street (M-24). The applicant's area of signage is noted as being larger because it is on the

applicant's property, the sign will be in front of the applicant's store, and the applicant is paying for it as part of the major improvements to the existing building; part of an agreement between the commercial center owner and the applicant (Section 7.22.04(g)(4)).

- The variance will not adversely affect the health, safety, or welfare of the public being that the applicant is clearing the corner of a nonconforming sign and the overgrown vegetation around the existing sign making the area safer for travel (Section 7.22.04(g)(5)).

MOTION CARRIED.

OTHER BUSINESS

Discussion was held regarding the use of temporary flag style signage at various locations.

ADJOURNMENT

There being no further business, it was moved by Mr. Bennett and supported by Mr. Butterfield to adjourn the meeting at 7:24 p.m. **MOTION CARRIED.**

Mr. Joe Black
Chairman