

## BOARD OF ZONING APPEALS MINUTES

A regular meeting of the Farmington Board of Zoning Appeals was held on Wednesday, June 2, 2010, in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 1976.

Chairperson Buyers called the meeting to order at 7:03 p.m.

### ROLL CALL

**PRESENT:** Buyers, Buck, Dompierre, Majoros.

**ABSENT:** Bennett, Christiansen.

**CITY OFFICIALS PRESENT:** Building Inspector Koncsol.

Chairperson Buyers informed Petitioner Hartman that a full complement of the Board was not present, so no action could be taken on matters before the ZBA unless three out of the four members present agree on the matter. He further stated that Petitioner Hartman could table the request until the July meeting if he so desired.

### MINUTES OF PREVIOUS MEETINGS

MOTION by Buck, supported by Majoros, to approve the minutes of the previous meeting of May 5, 2010. Motion carried, all ayes.

**APPEAL OF:** Bennie Hartman on behalf of Grand River Drake Properties  
3647 Shallow Brook Drive  
Bloomfield Hills, MI 48302-1450

Chairperson Buyers stated Mr. Hartman was requesting a variance to Table 25.03 to allow for the installation of a 17.25 sq. ft. "Sale/Lease" sign at 24155 Drake Road. City code limits this type of sign to 8 sq. ft., therefore, a 9.25 sq. ft. variance is required.

Chairperson Buyers asked Petitioner Hartman if he would like to go forward with his appeal or table it until the July meeting. Hartman indicated he would proceed with his appeal at the present meeting since the significance of the larger sign is of such importance to the sale/lease of the property.

Chairperson Buyers reminded the petitioner that if the appeal is denied, he may not be able to come before the ZBA unless there is a significant change in circumstances for an indeterminate amount of time. The petitioner stated his awareness of that fact.

Hartman explained the need for the larger sign. The building sits quite a distance off Grand River and is surrounded by trees. He referred the Board to the picture in the packet.

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Chairperson Buyers explained that in order to grant the request, there were certain hurdles the ZBA has to overcome, one being the aspect of practical difficulty. He clarified that in this instance the difficulty was related to the proximity or lack thereof to Grand River and the lack of visibility.

Petitioner explained that Drake Road doesn't carry the amount of traffic that Grand River does. The building is approximately 200 ft. from Grand River and not even visible from the intersection in the summertime. The present sign has been in existence for six months and has brought in two inquiries.

Chairperson Buyers entertained questions from the Board.

Majoros asked if there were currently any tenants in the building. Hartman responded that the Liquor Commission leases the lower level on a month to month basis. The upper level is entirely vacant and has been for the past six months. Majoros further inquired if 24,000 was the total square footage of the building. Hartman responded that the area was 24,350 sq. ft.

Majoros then asked if other advertising means had been utilized thus far. Hartman responded that he had been trying to generate interest by calling potential tenants but unfortunately, there is about 6 million sq. ft. of vacant office space in the suburbs today. They were considering listing the property with a broker in the near future. He further stated that the State will be totally vacating the building by September or October.

Further discussion was held on sign dimensions, wording and square footage restrictions, as well as requirements for having the sign face both directions and being allowed on a corner lot. Koncek indicated that a V-shaped sign could be utilized at the site. He added that a time frame for the sign could be included in the motion.

Chairperson Buyers stated that practical difficulties do exist to justify the request, that is, the lack of visibility from Grand River.

Buck inquired if the Board could put a time frame on an approval if it were granted. Chairperson Buyers indicated it is not a requirement but that it certainly could be included in granting the variance.

Further discussion was held on the length of time for the variance and future requests of the Board.

Koncek stated it was his understanding that the Board could require any kind of reasonable time frame and that the Petitioner could always come back before the Board to explain the results or lack thereof.

Hartman explained the history of the building and the tenant usage in the past 32 years.

Majoros commented he favored granting a variance but with a time restriction.

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Chairperson Buyers went over the dimensions of the signage provided by the Petitioner. He said if a timeline was included, he would vie for something longer than 6 months.

Buck questioned Majoros if he meant to indicate that the 17.25 sq. ft. sign was not going to be large enough and Majoros responded in the negative.

MOTION by Buck, supported by Majoros, to grant one variance to Table 25.03 allowing the Petitioner to place a 17.25 sq. ft. Sale/Lease sign on the east side of the property at 24155 Drake Road, Farmington, for a period of up to 12 months, at which time the Board could entertain a review for an extension of that period; this would be with respect to the hardship of visibility of the sign and the difficulty in today's marketing environment.

Chairperson Buyers indicated that correspondence was received from Robin Champness, 24025 Drake Road, Farmington, Michigan 48335, advocating approval of request.

Chairperson Buyers inquired if there was further discussion on motion. None being heard, the motion carried, all ayes.

### PUBLIC COMMENT

No public comments were heard.

### COMMISSION COMMENTS AND ANNOUNCEMENTS

None heard.

### ADJOURNMENT

MOTION by Majoros, seconded by Dompierre, to adjourn the meeting. Motion carried, all ayes.

The meeting adjourned at 7:40 p.m.

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John D. Koncsol , Building Inspector