

**CITY OF SOUTH LYON
ZONING BOARD OF APPEALS
March 20, 2008**

Chairman Weipert called the meeting to order at 7:03 p.m.

PRESENT: Chairman Weipert and Commissioners James Herman, Ron Morelli, Mike Potter and Tom Goodcase. Also present, Director of Building Safety and Engineering, Joe Veltri.

ABSENT: Commissioners Chad Cunningham and Keith Bradley – excused.

APPROVAL OF MINUTES:

ZBA 03-20-08 APPROVAL OF MINUTES – December 20, 2007

Motion by Morelli, supported by Herman

To approve the minutes of December 20, 2007 with no changes.

VOTE: **MOTION CARRIED UNANIMOUSLY**

OLD BUSINESS

None

NEW BUSINESS

Papa E'z 22381 Pontiac Trail

Chairman Weipert – The applicant can come up and introduce himself and stated his address and hardship.

Commissioner Morelli – I would like to have everyone know that I have spoken with Jeff LaFave in the past about his business and I think I can be objective in this case. Does anyone have a problem with me sitting in?

Chairman Weipert – How about the applicant?

Mr. LaFave – No problem. Jeff LaFave of Papa E'z. We (my father and I) are bringing a community based family dining operation and it is value based as well. We offer pizza, pasta, salad and a dessert item for \$5.99. We also have five (5) party rooms in there for

the community to host events and they are being decorated by the Chamber as well as the Historical committee. We are trying to do a lot of things with the community. What we are here today for is a sign plan review. One thing that will make this a little easier, I found out this afternoon that our landlord Bez-Tech requested that we try to put that logo on the front rather than on the 45-degree angle. Being it is a landlord request; we obviously do not want to create hardships with the landlord. I spoke with them in detail and unfortunately the owner is out of town so they could not get a solid determination. The only question I have tonight that I really need to get addressed is in regards to the message board ordinance.

We have done some research on the message board and also spoke with Mr. Veltri about that regarding the way that the message boards can function. We were instructed that we needed to have a 60 second time in-between changes in the message on the board. I Did a little research on it and went around town, Walgreen's across the street has a message board.

Inspector Veltri – Not in the City.

Mr. LaFave – The Big Boy restaurant.

Inspector Veltri – Big Boy's message board was broken for three (3) weeks. Is it running now?

Mr. LaFave – Yes, at eight (8) second intervals. Our family really likes classy things. We don't want the place to look like a Las Vegas show strip. We understand the concerns with that. We also realize that we need to be able to get our message out. It is visually noticeable particularly from Pontiac Trail coming up the boulevard. We are looking for a determined time value on those signs. We are looking for something in the eight (8) to ten (10) second range to be able to rotate the message. No flashing, no strobing, no cascading, no motion on the board. We want to be able to have text that changes on the sign.

Chairman Weipert – The request is not the same. The issue was the angle of the sign correct?

Commissioner Morelli – The Planning Commission is going over this signage issue right now. This came up at City Council for an ordinance change. No one really knew how long before (the sign) changes. I have been looking and the City of Wixom has one (1) that changes every eight (8) seconds. Novi has one (1) and it changes every ten (10) seconds. The expressway signs change every four (4) seconds but cars are going by a lot faster. I have seen signs that either don't change at all, or change about every 8-10-12 seconds which seems long. The Planning Commission is looking into this right now. They are going to add verbiage to the ordinance that addresses these signs in the City. To be honest with you, I would wait and see what they come up with.

Mr. LaFave – That was the biggest concern when we found out the 45-degree issue went away yesterday, we were like okay is there anything remaining with the signs that are a concern. I went in and asked Joe yesterday that if we don't put this sign on the 45-degree angle do we still meet our numerical requirements for square footage and we do.

Commissioner Morelli – Why didn't your landlord want it on the 45-degree angle, I am just curious.

Mr. LaFave – The issue was not with the tenant there, they were okay with it. Even the majority of the tenants in the complex were okay with it. The problem comes in when once Optimize leaves and a new tenant moves in the landlord did not want to have a problem with the next tenant. Optimize is not up for five (5) years. They were looking at what the long-term ramifications were. One of the owners caught it (the one that is out of town) and said look it is not going to work. I called my sign company and they said if you do anything tonight, do yourself this favor and go on the record regarding the flashing signs and how quickly they can turn and try to get something concrete with that. That was the big concern the sign company has as well. There are a lot of variations with it. The studies we have done have found it takes about eight (8) to ten (10) seconds when going 15 mph.

Inspector Veltri – All of this is not on the agenda for tonight Mr. Chairman.

Commissioner Potter – It would have to be a separate request for it to be officially on the record. To get the process started you would have to get the paperwork into Joe.

Mr. LaFave – We will follow up on Monday morning. This helps now at least knowing the Planning Commission is on it.

Commissioner Morelli – If want to get involved with that, talk to the Chamber and business owners regarding signs and they all seem to show up.

Commissioner Morelli – So, everything fits right now.

Inspector Veltri – Yes. All I need is the location of the round sign.

Mr. LaFave – The round sign will be located on the boulevard as you are looking at the writing, it will be on the right hand side. The logo on the right and Papa E'z Pizzeria on the left.

Commissioner Potter – The L.E.D. sign is going in the window?

Mr. LaFave – Yes. In the window and is acceptable by code from what I understand.

Inspector Veltri – Yes, in the window is acceptable. Flashing signs are not allowed. That is why we set the one (1) minute standard. Strobes are not allowed either. If it is one of those “Open” neon signs I don’t worry about it. If the sign is flashing you will hear from me.

Mr. LaFave – Sorry to drag you guys out like this. I just found out yesterday. At least I got the clarifications on this. I will work closely with the Planning Commission and find out their timetable. Our goal is to just make sure the process is moved along and if it means I have to come for a variance (if the Planning Commission takes 2-3 months) we might just come in to get it over with.

Commissioner Potter – Hypothetically, what is your hardship?

Mr. LaFave – It will impact the business severely and give us considerable difficulty in our marketing.

Commissioner Potter – Your hardship would not be compared to another property, or what is unique about your property.

Commissioner Morelli – Monetary does not count as a hardship.

Mr. LaFave – Monetary does not count as a hardship? I will review it. Thank you.

Inspector Veltri – I did not know about the change regarding the landlord. I had nothing in writing.

Commissioner Morelli – The Planning Commission could rewrite the ordinance and then it goes to Council for approval. They are talking about signage. As far as I know, it is calculated on the dimensions of your façade. Downtown there is a retail space with an upstairs and downstairs, should they have a bigger sign size? Glenn (from Council) asked if the upstairs tenant could give away some of his square footage to the downstairs tenant. I said I didn’t think so.

Inspector Veltri – No. You are allowed 10% of the front facade of the building. It could be Morelli Place at 10% then if there are six (6) tenants in there, each tenant gets a one square foot sign out front. That is in our ordinance now.

Commissioner Morelli – They were specifically talking about the businesses that are downtown on two (2) floors. Could the landlord of that building get the whole façade and give it all to one (1) tenant?

Inspector Veltri – In a multi-tenant building, you are allowed one (1) and each tenant gets one (1) square foot signage. That is now in our ordinance. They are a tenant in a building and that is it. You take the square footage and there is your 10% for your sign.

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Look at Glenwood Plaza, they are allowed one 24 square foot sign. They have seven (7) tenants there with seven (7) tenants signs in that 24 square feet. Can you read that going 40 mph?

Commissioner Morelli – No.

Chairman Weipert – Is there anything coming up?

STAFF REPORTS:

Inspector Veltri – We are going to have a meeting next month for a built in pool and he is over his 25% lot coverage. That will be April 17, 2008 and Mike will be here as I will be on vacation. I have the drawings on my desk already. He submitted them today. It is in Trotter's Pointe.

ZBA 03-20-08 – ADJOURNMENT

Motion by Weipert, supported by Morelli

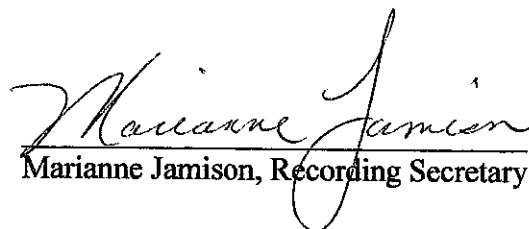
To adjourn the meeting at 7:24 P.M.

VOTE:

MOTION CARRIED UNANIMOUSLY

Respectfully Submitted,

Philip Weipert, Chairman



Marianne Jamison, Recording Secretary