

copy, would be larger in size. Signs by Crannie has requested 12 square feet of copy area to be placed on a nicer looking aluminium structure rather than the plastic face, which would last longer than the current wood sign. There would be a ten (10) year warranty on the proposed sign. A comparison was made of other signs in the township and presented to the subdivision association for their review. The size of the proposed sign would be six (6) foot by nine (9) foot or 72 square feet including the face.

The proposed sign location would be off Carpenter Road, Flushing, Michigan between Elms Road and Deland Road on the East entrance coming from Elms Road at the Meadowbrook Park Subdivision entrance.

MORROW showed various supporting signs in the Township showing different copy of the signs. A picture of the current Meadowbrook Park Subdivision sign was shown to the Zoning Board of Appeals.

FOTENAKES wanted to know the reason Signs by Crannie designed the proposed sign larger than the township sign ordinance requirement. **MORROW** stated it was a “gray” area as far as whether the sign ordinance size referred to the copy area or the total size of the structure. Meadowbrook Park Subdivision representatives had reviewed other supporting entrance signs in the neighborhood and the subdivision chose designs, which they preferred and had hoped to model the proposed Meadowbrook Park Subdivision sign in a similar fashion.

The proposed larger subdivision sign would be in the same location as the current sign; some construction would have to be completed as far as ground level.

SWANSON wanted to know if the proposed sign would be in the 100 foot easement on Carpenter Road. If the proposed sign should be in the easement, a permit from Genesee County Road Commission would be required. The height restriction of the proposed sign, at the current location, would be a problem because an individual pulling out of the subdivision onto Carpenter Road would not be able to see above the proposed sign for oncoming traffic. **MORROW** stated there has been no obstruction of view from the current sign.

7:50 P.M. - OPEN TO AUDIENCE PARTICIPATION:

1. Nancy Brownrigg, 8041 W. Carpenter Road, Flushing, Michigan - “wanted to know how far the stop sign was from Carpenter Road. People have to move up further into Carpenter Road to see the oncoming traffic. With the proposal of the Junior High School being constructed across the street from her house, there will be a lot more traffic. The sign doesn’t make any difference to her.”
2. Pam Bacon, 8015 W. Carpenter Road, Flushing, Michigan - “In answer to Nancy Brownrigg’s question, the stop sign is North of where the proposed sign would be located; an individual would be clearly ahead of the sign looking left but not to the right due to the pine tree. She has no problem with the sign. The stop sign location at the corner of Meadowbrook Lane and Carpenter Road is a dangerous issue which should be moved forward or remove the pine tree. The proposed sign is very attractive and she has no concerns.”

FOTENAKES inquired as to the proposed sign being within the setbacks of the sign ordinance. **JERRY FITCH (FITCH)**, Building Inspector for the Charter Township of Flushing, informed the Board that the sign was within 100 feet of the Meadowbrook Lane where part of the road had been taken to construct the entrance island. **SWANSON** stated that, according to the ordinance, the sign had to be within ten (10) feet of the easement from Carpenter Road or sixty (60) feet from the center line of Carpenter Road. **SWANSON** stated there are survey stakes showing where the easement is located.

3. Pat McCarron, 7456 W. Carpenter Road, Flushing, Michigan – “lives on the other side of the road; he has no problems with the proposed sign location.”

8:00 P.M. - AUDIENCE PARTICIPATION CLOSED

SWANSON stated that if he is going to approve a sign of that particular height, he would like to make sure that the sign is ten (10) foot within the easement. Almost every sign in the ordinance is four (4) foot high; the township does not like tall signs.

FOTENAKES stated that if the Board of Trustees is going to implement rules and regulations, the Zoning Board of Appeals has to have good criteria of why there is going to be an alteration to *Signs by Crannie* to avoid any favoritism.

VAUGHN stated that in reviewing the interpretation of free-standing signs, the setbacks shall be so that the face of the sign is not less than ten (10) feet back from the right-of-way and shall not exceed four (4) feet in height. The area of such sign shall not exceed twelve (12) square feet.

SWANSON read the Sign Ordinance – Section 13.5-43 (i)

- (i) **Variances.** A variance may be allowed by the board of appeals only in cases involving practical difficulties or unnecessary hardships when the evidence in the official record of the appeal supports all the following affirmative findings:
 - (1) That the alleged hardships or practical difficulties, or both, are exceptional and peculiar to the property of the person requesting the variance, and result from conditions which do not exist generally throughout the township.
 - (2) That the alleged hardships and practical difficulties, or both, which will result from a failure to grant the variance, include substantially more than mere inconvenience, or mere inability to attain a higher financial return.
 - (3) That allowing the variance will result in substantial justice being done, considering the public benefits identified to be secured by this chapter, the individual hardships that will be suffered by a failure of the board of appeals to grant a variance, and the rights of others whose property would be affected by the allowance of the variance, and will not be contrary to the public purpose and general intent and purpose of this chapter.

The above findings of fact shall be made by the board of appeals, which is not empowered to grant a variance without an affirmative finding of fact in each of the categories above. Every finding of fact shall be supported in the record of the proceedings of the board.

DAN CRANNIE (CRANNIE), owner of Signs by Crannie, stated there were a lot of communities and municipalities which he has been associated with, that call the copy the signage, not the supporting structure. **FOTENAKES** stated that she interrupted the sign ordinance as the sign because the copy is always going to be smaller. If a sign ordinance is in effect, it should be followed. **FOTENAKES** felt the proposed sign could be constructed smaller with just as much character.

SARKA stated legally the Board of Appeals has to comply with the ordinance.

FOTENAKES MOVED, seconded by Swanson to deny the request to Signs by Crannie to place the enlarged sign for Meadowbrook Park Subdivision, and they (Signs by Crannie) would have to adhere to the sign and the reason why the Board of Appeals did not give the variance because the Board could not answer “yes” to the three (3) questions which follow the ordinance.
MOTION CARRIED.

2. **Signs By Crannie, 4160 Commerce Drive, Flushing, Michigan**
B. Variance of Sign Ordinance – Hyde Park Site Condominium
(Section 13.5-62 (3))

MATT MORROW (MORROW) was present to request a variance for two (2) temporary signs for the Hyde Park Site Condominium to be located off River Road, Flushing, Michigan, West of Elms Road.

Signs by Crannie’s customer, the Lucy Ham Group, wanted the two (2) proposed signs set back from the road. The closest proposed sign would be thirty (30) some feet from River Road. The distance from River Road was one of the considerations with going with the particular sign design so that it could be seen from River Road. One (1) proposed sign will be located at each of the two (2) separate entrances to Hyde Park, off River Road.

The construction of the proposed signs will be an elegant wood construction. **CRANNIE** stated the proposed design has been very elegantly created and with a sign of the proposed particular size, if made smaller the lettering would have to be bold, block letters and ugly to be readable, if the proposed signs were to follow the temporary sign ordinance. There needed to be a design that would represent an upscale community such as the Flushing Community.

The proposed sign would be four (4) feet by six (6) feet, with a total of eight (8) feet from the ground. The height of the poles would be twelve (12) feet with four (4) feet in the ground.

SWANSON has no problem with the sign, only the variance. **SWANSON** made reference to the temporary sign ordinance, but the sign could only be displayed for a limited number of days. The Board of Appeals can grant a ninety (90) days extension which is designed for portable (temporary) signs. The proposed signs would be up for a couple of years with an option for renewal.

VAUGHN stated the proposed signs would be a new sign with nothing specific mentioned in the ordinance. **FOTENAKES** stated the closest definition would be a temporary sign ordinance which does not clarify development and the proposed sign would have to be removed immediately. **SARKA** stated the proposed signs would be unique to the ordinance and would help to keep the development site moving. **FOTENAKES** stated the three (3) questions could be answered “yes” – there would be a hardship because the property in Hyde Park would not be sold and it would be unique to the township.

The location of the proposed signs, off River Road, would be: 1) (the closest one) - would be on the right hand side of Wyndham Blvd by the pole; and 2) North of Kings Way, on the right hand side, on the hill in front of the rock garden. A boulevard is constructed at both entrances.

JERRY FITCH (FITCH), the Building Inspector for the Charter Township of Flushing, stated that real estate signs are very hard to enforce especially with the “feeder” signs. One sign would be located on the main drive leading to another street, where a real estate sign would be located leading to another street, etc.

SWANSON wanted to know the time period the proposed signs would be at the proposed location. **CRANNIE** stated it would be a couple of years or until the subdivision lots have been sold.

SWANSON MOVED, seconded by Fotenakes to grant a variance to the Hyde Park Site Condominium per Section 13.5-62 (3) for two (2) eight (8) foot signs, which is the real estate sign per premises and give a variance from four (4) foot height to the eight (8) foot height, granted to two (2) years with renewal after two (2) years, location of signs as per the minutes. **MOTION CARRIED.**

BOARD COMMENTS:

MORFORD stated there was a two part “Summer Evening Zoning Series” seminar scheduled for June 25, 2003 and July 21, 2003. Please let the Clerk know as soon as possible if any Zoning Board of Appeals member would like to attend the seminar.

NEXT REGULAR SCHEDULED MEETING will be held on **TUESDAY, SEPTEMBER 2, 2003.**

ADJOURNMENT: There being no further business matters, Vice Chair Vaughn adjourned the Zoning Board of Appeals meeting at 8:34 p.m.

EDWARD HENNEKE, Chairperson

JULIA A. MORFORD,
Recording Secretary

RICHARD VAUGHN, Vice Chairperson

Date Approved