

**CHARTER TOWNSHIP OF CANTON
ZONING BOARD OF APPEALS
June 9, 2022**

A meeting of the Zoning Board of Appeals of the Charter Township of Canton was held Thursday, June 9, 2022, at the Township Administration Building located at 1150 S. Canton Center Road, Canton Township, Michigan 48188.

Vicki Welty called the meeting to order at 7:02 pm and led the Pledge of Allegiance to the Flag.

ROLL CALL:

Members Present: Vicki Welty, Alan Okon, Clarence Lee, Greg Demopoulos, Aaron Tassell

Members Absent: John Badeen

Staff Present: Patrick Sloan, Community Planner

ACCEPTANCE OF AGENDA FOR June 9, 2022

Motion by Greg Demopoulos, supported by Alan Okon to accept the agenda.

Ayes: All

Nays: None

APPROVAL OF MINUTES FOR THE April 14th, 2022 MEETING

Vicki Welty amended page 11 of the minutes for the motion by Mr. Badeen to remand a site plan application back to the Planning Commission. The proper language should have been a **motion by Mr. Badeen to remand application no. 074-SFP-7079 to the Planning Commission for further consideration based on the new information received from the ZBA applicant, the site plan applicants, and any additional information presented during the ZBA meeting.**

Motion by Greg Demopoulos, supported by Alan Okon to accept the minutes as modified by the Chair.

Ayes: All

Nays: None

Vicki Welty explained the procedures of the Zoning Board of Appeals to the audience.

1. Applicant Debra Christian for property located at 42364 Glencove Ct., which is located west of Lilley Road between Palmer Rd. and Cherry Hill Rd. (Parcel ID 091-01-0106-000), Zoning R-5. Appealing the following sections of the Zoning Ordinance: Section 78-131(4) (a). Fences or walls constructed or installed between lots may be extended up to, but not into, the required front yard area provided they do not exceed four feet above the average grade of the two adjoining lots.

Patrick Sloan, Community Planner, noted that there was no one in the audience to discuss this appeal on behalf of the applicant. Sloan said that he talked to Debra Christian that same day to clarify some information on the application. She asked if her attendance was required at the meeting. Mr. Sloan told her that she did not need to attend assuming that Brian Christian, project representative, would still be attending.

Ms. Welty suggested that they table this agenda item to the end of the meeting, just in case the applicant gets there late.

Motion by Greg Demopoulos, supported by Clarence Lee, to table this item to the end of the meeting, moving agenda item # 1 to # 3, agenda item # 2 to # 1 and agenda item # 3 to #2.

Ayes: All

Nays: None

2. Applicant Kim VanHall (applicant), for property located at 361 N. Canton Center Rd., located on the west side of Canton Center Rd. between Cherry Hill Rd and Saltz Rd. (Parcel ID's 71-064-99-0014-702, 71-064-99-0013-704, 71-064-99-0016-702), Zoning C-2. Appealing the following sections of the Zoning Ordinance: Section 6A.11(18) – Ground signs within 100 linear feet of an existing ground sign.

Kim Van Hall, representing HDDS Canton LLC, is requesting a variance for their monument sign for the property so that each one of their buildings can use one sign. It will be beneficial for wayfinding for their patients. The U of M Dialysis Center currently has small ground sign. They will be joining the sign with the Dermatology Specialists of Canton and two other tenants after their buildings are built. The addresses will be on the sign and it will meet all Township Ordinances. It will be less than 100 feet from the Citizens Bank sign which is near them. They offered Citizen's Bank to join their sign at no cost to Citizens Bank, but they declined.

Patrick Sloan, Community Planner, noted that Vidya Krishnan, Planning Consultant, reviewed this variance request and recommended approval based on a number of criteria that are noted in the Zoning Ordinance. The variance is from section 6A.11 sub-section 18 which requires all ground signs to be at least 100 feet away from all other ground signs. The major issue is the existing Citizen's Bank ground sign. To comply, the applicants would have to move their sign much father south, farther away from their driveway and defeating the purpose of having the sign where both northbound and southbound traffic can see it. The 100-foot setback is for spacing and there are some cases where the 100 feet is not attainable especially when there are separate uses on opposite sides of a major drive where there could be some pull factors. For those reasons, Staff and Consultants recommend approval of this variance based on the findings stated in the report specifically to allow a separation distance of 58 feet which is a variance of 42 feet.

Motion by Alan Okon, supported by Greg Demopoulos, to open the Public Hearing.

Ayes: All

Nays: None

No one from the audience wished to speak.

Motion by Alan Okon, supported by Greg Demopoulos to close the Public Hearing.

Ayes: All

Nays: None

Motion by Alan Okon to approve the variance allowing the new monument sign to be located along the sites Canton Center frontage as shown on the site plan that they were given with the separation of 58 feet from the existing Citizen's Bank monument sign to the north, siting the following 8 reasons in Mckenna's letter as the reasons why.

- 1. Strict compliance with the ordinance standards would result in the sign for the business being located further south within a greenbelt area, defeating the purpose for which a sign is intended.**
- 2. The proposed sign allows for consolidation of numerous ground signs into one sign, reduced sign proliferation and clutter along the roadway.**
- 3. The variance will provide substantial justice to the applicant and is not averse to the intent of the Township Ordinances.**
- 4. The proposed sign will not impede line of sight or affect traffic movement on abutting streets.**
- 5. The proposed sign is not likely to create any issues for health, safety and welfare.**
- 6. The proposed sign will prevent traffic confusion on abutting roadway by appropriately directing vehicular traffic to the main entrance drive.**
- 7. The variance is not likely to set a precedent; however, this is a percent the Township encourages as good planning.**
- 8. The variance will not have any adverse economic impact on the adjacent land uses.**

Supported by Greg Demopoulos

Ayes: All

Nays: None

Variance is approved.

3. Resolution to request that the Planning Commission consider initiating amendments to the standards of Chapter 78, Article V of the Code of Ordinances (Fences, Walls, and Borders).

Patrick Sloan said that it was requested by the ZBA at a previous meeting that this be placed on the agenda for a formal action. Mr. Sloan is aware that there are a number of issues with the Fence Ordinance that have caused recurring variance requests. Since there have been so many fence variances requests, staff is hoping to get any comments, motions, resolutions or anything that the Zoning Board of Appeals would like to see looked at specifically.

Clarence Lee stated that some communities prohibit fences, others allows them. As an individual, if you want a fence, is there anything that shows what an entire community would look like if every house wanted to put up a fence? As soon as you show what an entire community would look like if

everyone put up a fence, they may see that it is not a good idea. He wants to know where we are headed with this. Are we trying to make it easier to get fences?

Patrick Sloan said that many of the recurring fence variance requests deal with corner lots. There are very specific front yard setbacks that make a portion of these yards much less usable if fence is installed according to current ordinances.

Vicki Welty would guess that about 85 – 90 % of the fence appeals have to do with corner lots.

Alan Okon was wondering if there is any historical data about what the ZBA has seen.

Patrick Sloan stated that they can try to illustrate how a neighborhood would look if every home had a fence along the corner lots and took that fence right up to the sidewalk that would have a direct impact on the character. He said they will look at setback, maximum height, transparency, and visibility for these corner areas.

Alan Okon was also curious about signs and he is noticing a lot of back lit wall signs. He is wondering if there are any restrictions on these.

Patrick Sloan said that Planning Division recently had a meeting with Building Services Division and Ordinance Division to discuss signs. He said that this is something that he'll further discuss with those divisions.

Motion by Greg Demopoulos, that the Zoning Board of Appeals resolve to have the Planning Commission consider initiating amendments to the standards of Chapter 78 Article V of the Code of Ordinances pertaining to fences, walls and borders for the reason that the ZBA has seen recurring variance requests for fences.

Supported by Alan Okon.

Ayes: All

Nays: None

1. Applicant Debra Christian for property located at 42364 Glencove Ct., which is located west of Lilley Road between Palmer Rd. and Cherry Hill Rd. (Parcel ID 091-01-0106-000), Zoning R-5. Appealing the following sections of the Zoning Ordinance: Section 78-131(4) (a). Fences or walls constructed or installed between lots may be extended up to, but not into, the required front yard area provided they do not exceed four feet above the average grade of the two adjoining lots.

Applicant or Representative is not present to discuss appeal.

Motion by Clarence Lee, supported by Alan Okon, to open the Public Hearing.

Ayes: All

Nays: None

No one from the public wished to speak.

Motion by Alan Okon, supported by Clarence Lee, to close the Public Hearing.

Ayes: All

Nays: None

Motion by Greg Demopoulos to table Agenda item #1 to the July 14, 2022 ZBA meeting.

Supported by Alan Okon.

Ayes: All

Nays: None

Motion by Clarence Lee to adjourn meeting. Supported by Alan Okon.

Ayes: All.

Nays: None

Meeting adjourned at 7:29 pm.

Alison Eisenbeis, Recording Secretary