

CHARTER TOWNSHIP OF VAN BUREN
BOARD OF ZONING APPEALS
Tuesday - February 14, 2017
MINUTES

The Meeting was called to order at 7:02pm in the Board of Trustees room by Chairperson McKenna.

PLEDGE OF ALLEGIANCE

ROLL CALL:

Present: McKenna, Grissett, Martin, Sellers

Absent Excused: Barnabei, Kelley, Miller, Senters

Staff: Best, Akers, Halstead

Audience: 4

ACCEPTANCE OF AGENDA:

Motion to accept agenda as presented Martin, Seconded by Grissett.

Motion Carried

APPROVAL OF MINUTES: Motion to approve minutes from December 13, 2016 Grissett, Seconded by Sellers.

Motion Carried

CORRESPONDENCE: None

PUBLIC COMMENT: None

UNFINISHED BUSINESS: None

NEW BUSINESS

1.) MENARD, INC.

Case # BZA 17-001

Location: Parcel Number V-125-83-061-99-0005-721, which is vacant. The site is located on the west side of Belleville Road between Tyler Road to the north and I-94 to the south.

The applicant is requesting a variance from the following sections of the Charter Township of Van Buren Zoning Ordinance:

- **Article 13, Section 13.03(c)(5): All materials stored outdoors shall not be piled to a height of more than 6 feet.** The proposed height of the uncovered materials stored outdoors on the south and west sides of the building is 14 feet.
- **Article 4, Section 4.23 (Total Signage): The total permitted area of outdoor signage is 339 square feet.** The total proposed signage is 407.7 square feet.
- **Article 4, Section 4.23 (Building Wall Signage): The total permitted area of**

wall signage on a building is 200 sq. ft. The proposed wall signage on the principal building is 317.7 square feet.

- **Article 4, Section 4.23 (Directional Signage):** Directional signage is permitted, provided they do not exceed 6 sq. ft. in area of 4 feet in height. 1 “IN” and 2 “OUT” signs are proposed to be 17.5 feet high, 1 lumber yard entrance sign and 1 thank you sign are proposed to be 24 sq. ft. and 19 feet high.

Best gave the staff recommendation for approval of the requested variances by Menards Inc. He stated the variances have expired due to lack of work commencement after their approval on February 9, 2016.

Representative, Scott Nuttelmen, from Menards Inc. gave a presentation of their request for variances. He went over the changes to their signage.

Motion to open Public Hearing Martin, Seconded by Grissett. Motion Carried. Public hearing opened at 7:27.

Comment from audience regarding the traffic and safety of the sidewalk connection. The audience concerns were addressed after the meeting due to it nor pertaining to the variance request.

Motion to close Public Hearing Grissett, Seconded by Sellers. Motion Carried. Public hearing closed at 7:30

Martin motioned, seconded by Sellers to approve the following...

1. Approve the requested variance from Article 13, Section 13.03(c)(5) to permit outdoor storage of materials to a height of 14 feet – 8 feet greater than the maximum height of 6 feet permitted, based on the following findings and conclusions:
 - a. All outdoor storage greater than 6 feet in height will not be “piled” as regulated by the Ordinance. The materials will be stacked, organized, securely bound, and palletized within an engineered steel rack specifically designed to bear the load of materials, and will only be accessed by employees. To allow outdoor storage higher than 6 feet that is contained in the proposed rack system, and not in piles as limited by the Ordinance will do substantial justice to the applicant and other property owners in the district.
 - b. All outdoor storage will be screened by the main building, the warehouse building, the 14-foot high pallet racking building, and 14-foot high fence which will enclose the outdoor storage area. Light, air and public safety will not be negatively impacted if the variance is granted.
 - c. Strict compliance with the 6 foot height limit on piled materials stored outdoors is unnecessarily burdensome in this case where the outdoor storage is stacked,

organized, securely bound, and palletized within an engineered steel rack, not in piles as regulated by the Ordinance

- d. The proposed outdoor storage meets all the standards of Sections 19.07.3 and 19.07.4 of the Zoning Ordinance, as stated in the McKenna letter.
2. Approve the requested variance from Section 4.23 to permit the total area of outdoor signage to be greater than the area permitted, to a total of 407.7 square feet, based on the following findings and conclusions:
 - a. Permitting an area of 407.7 square feet for total outdoor signage meets all the standards of Sections 19.07.3 and 19.07.4 of the Zoning Ordinance, as stated in the McKenna letter.
 - b. Requiring compliance with the maximum permitted outdoor signage area of 290 square feet is unnecessarily burdensome.
 - c. Allowing total signage of 407.7 square feet does do substantial justice to surrounding commercial property owners and does substantial justice to the applicant.
 - d. Drivers along Belleville Road can identify Menards from the conforming 90-square foot monument sign along Belleville Road.
 3. Approve a modified variance from Section 4.23 to permit 317.7 square feet of wall signage on the main building – 117.7 square feet greater than the maximum area of 200 square feet permitted, based on the following findings and conclusions:
 - i. With Section 4.23 permitting 339 square feet of outdoor signage and the maximum allowable monument signage of 90 square feet proposed, 249 square feet remain which can only be used for building signage; however, the Zoning Ordinance only permits a maximum area of 200 square feet.
 - ii. Limiting the main wall sign to be not more than 200 sq. ft. is unnecessarily burdensome and would not do substantial justice to the applicant and surrounding property owners.
 - iii. A unique circumstance exists because the Menards building is setback about 500 feet from Belleville Road and will be somewhat screened from direct view from Belleville Road when the out lots are developed in the future. A larger wall sign area than permitted by the Zoning Ordinance will improve visibility of the building from Belleville Road, and will do substantial justice to the applicant and to other property owners in the district.
 - iv. Permitting an area of 317.7 square feet for wall signage on the building meets all the standards of Sections 19.07.3 and 19.07.4 of the Zoning Ordinance, as stated in the McKenna letter.
 4. Approve variances from the maximum height (4 feet) and area (6 square feet) requirements for directional signs in Section 4.23 to permit the 1 "IN" and 2 "OUT" signs to be 17.5 feet high, and 1 lumber yard entrance sign and 1 "Thank you" sign to be 24 square feet and 19 feet high, based on the following findings and conclusions:

- a. Permitting the requested area and height of directional signs meets all the standards of Sections 19.07.3 and 19.07.4 of the Zoning Ordinance, as stated in the McKenna letter.
- b. A practical difficulty exists because strict compliance with the height and area limits for directional signage is unreasonably burdensome for a large home improvement store that relies on higher and larger directional signage to promote safe ingress to and egress from the yard area for large trucks and customers. As such, a unique circumstance exists for this property as well as any other property of a large home improvement store that must have directional signage for customer traffic to and from a yard area.
- c. The area and height of the proposed directional signage is the minimum necessary to be visible to vehicles approaching the yard entrance/exit area.

Motion carried with four votes. Variances Approved.

ANNOUNCEMENTS, COMMENTS, AND OPEN DISCUSSION: Martin thanked Mr. Nuttleman for being at the meeting and representing Menards Inc.

Akers let commission members know of the classes/training available to them.

Motion Grissett, seconded by Sellers to adjourn at 7:42 p.m.

Motion Carried

Respectfully submitted,

Anna Halstead, Recording Secretary