

Charter Township of Lyon
Zoning Board of Appeals
Regular Meeting Minutes
May 18, 2015

Approved: June 15, 2015

The meeting was called to order by Mr. Erwin at 7:03 p.m.

Roll Call: Bill Erwin, Chairman
John Hicks, Board Liaison
Kurt Radke
Carl Towne, Planning Commission Liaison

Absent: Tony Raney, Vice-Chairman

Guests: 6

Also Present: Leann Kimberlin, Township Attorney

APPROVAL OF MINUTES

**Motion by Towne, second by Radke
To approve the minutes from April 20, 2015 as presented.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

**Motion by Towne, second by Hicks
To move Hirata to the first item on the agenda.**

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

PUBLIC HEARINGS

1. **Hirata Corporation, 30165 South Hill Road, New Hudson, MI 48165. Sidwell #21-03-426-006. Applicant requests the following variances:**
 - **A variance from Section 16.08-C-2, which states the maximum allowed size of a wall sign is 48 square feet. To allow for a sign measuring 84 square feet, a variance of 36 square feet is being requested.**
 - **A variance from Section 16.08-C-6-a, which states that the top of a wall sign shall not exceed the maximum height specified for the district in which the sign is located. The maximum height in the I-2 District, as**

listed in Section 36.02 of the Zoning Ordinance (Schedule of Regulations) is 45'. Therefore, a variance of 15' is being requested.

Representing Hirata Corporation: Arnold Peek

Mr. Peek explained that there is no presence without a sign that sticks out. There are a lot of trees in the front, and they would rather not cut those down. They have secured a 15 year lease.

Mr. Towne commented that the building is very far off the road. They are asking for the same size of the sign that is on the building now. Mr. Hicks stated that until you are on top of the sign, you don't see it.

Mr. Peek explained that they would like to have some visibility and have some presence. The owner of Hirata is also pleased with the location of the sign. There is also the consideration that a building could go in on the front of the property, further blocking their area.

Mr. Towne felt that the sign is barely visible now at the size that it is. The situation calls for it due to the depth of the building being that far off the road. Mr. Peek stated that he is concerned with everyone being able to recognize their facility. Approaching from the east on Grand River, Hirata is completely unseen because the Henrob Corporation building is so close to Grand River; it's also not visible because of the angle of the road. This leaves no time at 55 miles an hour to make a sound and safe decision to stop to turn.

Mr. Peek stated that they would prefer a monument sign.

Motion by Towne, second by Radke

To approve the 36 sq. ft. variance for Hirata Corporation sidwell #21-03-426-006 contingent upon if a monument sign goes up at that property, the sign will come down. The building is a ¼ mile off the road, and the visibility is monument.

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

Motion by Towne, second by Hicks

To approve that the wall sign will not exceed the maximum height. To approve the 15' variance due to the location of the building being ¼ mile off the road. The approval of the variance will not set a precedence, in regards to the sign, the sign will come down if a monument sign is installed. The sign is still lower than the building on the west end.

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

2. **BRIVAR Construction Company, 7258 Kensington Road, Brighton, MI 48116. Sidwell #21-11-226-003. Property located at 53410 Grand River Avenue. Applicant requests the following variances:**

- A variance from Section 14.02-B-1 of the Zoning Ordinance, which requires loading areas to be located in the rear of the building served. Applicant proposes that the loading area be located in the front of the building.
- A variance from Section 36.02 of the Zoning Ordinance (Schedule of Regulations), which requires a rear yard setback of 40' in the I-1 District. A 20' rear yard setback is proposed. Therefore, a 20' variance is being requested.

Representing BRIVAR: David LeClair
Craig Stockford

Mr. LeClair stated that this building is known as the Jerry Baker building. This parcel was always planned to be a 3 building parcel. They are planning to build the 3rd building with a rear yard setback variance from 20' to 50'. There is a loading area in the front yard. On the first building, there is one loading area and the on the second building there are two. They are asking to continue this in the 3rd building.

Mr. Towne explained that the Planning Commission tabled this plan and this plan went to the Board for a variance for the water standards and detention pond. Mr. LeClair explained that the variance was granted for the 3rd parcel from the Township Board.

Mr. Towne stated that it is 20' consistently across. Jerry Baker's property is immaculate, he would hope that when this building goes up that the building is maintained in that 20' foot section. Mr. Towne questioned the swales. Mr. LeClair stated that there will be a very shallow swale inserted in the back of the property. There is a swale on the BC/BS property, and they won't be touching anything on that property. They also won't touch anything on the back of buildings number 1 and 2.

Motion by Radke, second by Hicks

To approve the variance from Section 14.02-B-1 of the Zoning Ordinance, which requires loading areas to be located in the rear of the building. Applicant proposes that the loading area be located in the front of the building. The reason is that it is consistent with the rest of the area and they can't put a rear loading dock in the rear because it is too close to the property line.

**Voice Vote: Ayes: Unanimous
Nays: None**

MOTION APPROVED

Motion to Radke, second by Towne

A variance from Section 36.02 of the Zoning Ordinance (Schedule of Regulations), which requires a rear yard setback of 40' in the I-1 District. A 20' rear yard setback is proposed. Therefore, a 20' variance is being requested consistent with the rest of the property line.

Voice Vote: Ayes: Unanimous
Nays: None

MOTION APPROVED

ADJOURNMENT

The Zoning Board of Appeals meeting was adjourned at 7:32 p.m. due to no further business.

Respectfully Submitted,

Kellie Angelosanto

Kellie Angelosanto
Recording Secretary