



MCKENNA

August 18, 2026

Board of Zoning Appeals
Village of Lake Orion
21 E. Church Street
Lake Orion, Michigan 48362

Subject: **Variance from Zoning Ordinance Requirement Review** (Plans received August 6, 2026)
Location: **214 South Broadway Street, Suite 300 – Parcel ID# 09-11-231-005**
Zoning: **PUD – Planned Unit Development District / Height Overlay District**

Dear Board Members:

We have reviewed the above-referenced variance application submitted by Kari Torkko, on behalf of Linwood Orion LLC (the “Applicant”) who is a business owner at the cited residence. Ms. Torkko is proposing two dimensional variances from Chapter 155 Sign Regulations, that would allow the applicant to erect a business sign with a 23 square foot total on a side of the structure that does not have a door.

LOCATION AND PROPOSED PROJECT

The subject lot is approximately 3,950 square feet in area and is occupied by a multi-tenant building. The lot is located on (M-24) between the lake and the S. Broadway Street intersection. The subject property is zoned PUD - Planned Unit Development District and is also located within the Height Overlay District. An aerial photo of the subject site and the surrounding area is provided for context.

The Applicant proposes to install a 23 square foot wall sign on the southern facing façade, which does not have a public entrance.

SIGN ORDINANCE STANDARD AND REQUESTED VARIANCE

Article XV – Land Usage

Chapter 155 – Sign Regulations

Section 155.06 – District Regulations

SUBSECTION D – CC and MU Districts: non-residential uses

Section 155.06.D allows for one (1) permanent wall sign on each facade which has a separate public entrance, plus one (1) additional wall sign not to exceed 12 sq. ft. in area.



HEADQUARTERS

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(C) Signs in the DC District: non-residential uses.

Sign Type	Number	Location (a)	Maximum Area (b) (c)	Maximum Height	Specific Regulations (d)
Wall sign: single tenant building	1 on each facade which has a separate public entrance	Shall not project more than 12 inches from the face of the building or any permanent architectural feature	-	No projection above roof or parapet	Building units with a second story visible from M-24 are permitted 1 additional secondary wall sign facing M-24, not to exceed 32 sq. ft. in area
Wall sign: Multi-tenant building (units with individual public entrance)	1 per building unit, plus 1 additional wall sign		10% of front wall area per business, up to a max. 50 sq. ft. per business		
Wall sign: Multi-tenant building (units with shared public entrance)	1 on each facade which has a separate public entrance ; plus 1 additional wall sign (12 sq. ft. or less)		-		
Ground sign: single tenant building	1 per premises ; individual business ground signs not permitted	Located completely on the site to which it pertains, shall not affect line of sight on abutting streets or be located within the clear vision triangle and setback a minimum of 50 ft. to	24 sq. ft.	5.5 ft.	Pole signs are subject to Planning Commission review and may not exceed 20 ft. or the height of the building, whichever is less
Ground sign: multi-tenant building			50 sq. ft.	7.5 ft.	

The Applicant is requesting a dimensional variance to erect a 23 sq. ft. wall sign on the southern facing façade, which does not have a public entrance.

Prior to receiving approval from the Board of Zoning Appeals, the applicant installed the sign (which can be seen below). Upon discussion with the applicant, it was determined that the applicant misunderstood the process and did not intend to maliciously violate the Ordinance and/or procedures of the Board of Zoning Appeals. Considering that the applicant is currently pursuing the variance request, we have requested the Village Staff to refrain from code enforcement procedures until the Board is able to make a decision on the matter.





VARIANCE STANDARDS FOR APPROVAL

Per the *Michigan Zoning Enabling Act, P.A. 110 of 2006, as amended*, the Board must, prior to acting on a requested variance, consider and make findings regarding several factors. Specifically, in Section 19.04.D.1 of the Village's Zoning Ordinance, the Board may grant a variance upon a finding that a practical difficulty exists. A finding of practical difficulty exists when the applicant has demonstrated that all of the zoning ordinance criteria exist.

Each of the required standards is described below followed by an analysis of whether those conditions exist in this particular case.

A. Strict compliance with restrictions governing area, setback, frontage, height, bulk, density or other non-use matters will unreasonably prevent the owner from using the property for a permitted purpose or will render ordinance conformity unnecessarily burdensome.

Applicant Response:

Strict compliance with the current ordinance creates an unnecessary burden because the subject property presents unique tenant identification challenges that are not typical of many commercial properties.

The property is a three-story multi-tenant office building located along M-24 (South Broadway Street), a principal arterial carrying approximately 41,992 vehicles per day. The building is set back from the roadway, partially screened by mature landscaping, and approached on a curve that limits the amount of time motorists have to identify the correct building before reaching the entrance.

Unlike many commercial buildings where the street address and commonly recognized roadway name are consistent, the subject property's mailing address is 214 South Broadway Street, while the roadway is commonly recognized by residents and visitors as M-24/Lapeer Road. As a result, first-time patients frequently search for the business along "Lapeer Road" or experience difficulty locating the correct building after arriving in the area.

The existing monument directory identifies multiple tenants but is not readily legible from the roadway at the point where motorists must determine whether to enter the property. The requested wall sign is intended primarily to provide timely tenant identification and assist patients in locating a medical office safely rather than to increase advertising exposure.

For these reasons, strict application of the ordinance creates an unnecessary burden unique to this property that is not experienced to the same degree by many other commercial properties.

Planner Response:

While the applicant has identified operational challenges associated with patient wayfinding and tenant identification, the Board should evaluate whether these challenges arise from unique physical characteristics of the property itself rather than the needs of the current business tenant. Variance approval should be based upon conditions inherent to the property and not the operational preferences of a specific user.

B. The variance will provide substantial justice to the applicant as well as neighboring property owners.

Applicant Response:

Approval would allow the subject property to achieve a level of tenant identification that is compatible with similarly situated multi-tenant commercial buildings throughout the M-24 corridor. The requested sign would improve patient wayfinding without adversely affecting neighboring properties or altering the architectural



character of the building. It would also promote consistent treatment of tenant identification within an established commercial corridor.

Planner Response:

The variance would provide justice to the applicant by allowing greatly improved visibility for patrons and new customers of their business and would allow drivers along S. Broadway to see the sign.

The Board should consider the evidence presented and determine whether the requested variance would provide substantial justice to the applicant while avoiding unreasonable impacts on neighboring properties.

C. The variance requested is the minimum variance needed to provide substantial relief to the applicant and/or be consistent with justice to other property owners.

Applicant Response:

The Village has already recognized that multi-tenant, multi-story buildings located directly on South Broadway may require individual tenant wall signs for effective tenant identification. The same planning principles should be evaluated as applied to this property, recognizing that 214 S. Broadway presents additional visibility challenges because it is physically oriented toward M-24 rather than the traditional Broadway streetscape.

Planner Response:

The variance requested is not the minimum variance needed to provide substantial relief to the applicant, as the requested sign size is 23 sq. ft. and the maximum allowance is 12 sq. ft. We do not anticipate the granting of the variance causing harm or a nuisance to the adjacent property owners. However, there is concern of the justice to the other tenants in the building. This is a multi-tenant commercial building with multiple offices and businesses located inside the building. The existing site signage is a shared ground sign with all tenants listed. If the variance is granted, this applicant would be the only one of several tenants to have a business sign displayed on the face of the building. Therefore, if this variance is granted, it may set a precedent that might lead other tenants to request the same.

D. The need for variance(s) is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district.

Applicant Response:

The need for the variance is due to unique circumstances peculiar to the property and not generally applicable in the area or to other properties in the same zoning district because the subject property is a multi-story, multi-tenant office building that faces M-24 (Lapeer Road) rather than the traditional Broadway streetscape.

Unlike many other commercial properties in the district, the building is set back from the roadway, partially screened by mature landscaping, and located along a curved section of M-24 carrying approximately 41,992 vehicles per day. These conditions significantly limit the amount of time motorists have to identify the correct building and safely access the property.

Additionally, although the property's legal address is 214 South Broadway Street, the building is physically oriented toward M-24 (Lapeer Road). As a result, first-time patients and visitors frequently travel to the wrong area of Broadway Street or experience difficulty locating the office because the address does not correspond to how motorists perceive and navigate the corridor.



The property also differs from many other nearby commercial buildings because it is a multitenant, multi-story office building that relies on a monument directory sign that is difficult to read from the roadway at the point where drivers must determine whether to enter the site.

Comparable multi-tenant buildings located directly on Broadway Street, such as 120 South Broadway, benefit from direct frontage, lower vehicle speeds, and multiple existing tenant wall signs. The subject property does not share those same characteristics and therefore presents unique wayfinding and tenant-identification challenges that are not generally applicable to other properties in the zoning district. The office receives frequent phone calls and questions from patients attempting to locate the building, demonstrating that the wayfinding challenges associated with this property are ongoing and property-specific.

For these reasons, the requested variance arises from the unique physical characteristics and location of the property itself, rather than from the needs of a particular business or tenant.

In addition to the requested variance for sign size, the applicant respectfully requests a variance to permit the sign to be installed on a building elevation that does not contain a public entrance, as required by the Village's sign ordinance.

The requested placement is necessary because of the unique configuration and orientation of the subject property. Although the property's legal address is 214 South Broadway Street, the building is physically oriented toward M-24 (Lapeer Road), which serves as the primary visual corridor for patients and visitors approaching the site.

Strict compliance with the ordinance's entrance-facing requirement would require the sign to be placed on an elevation that is not readily visible to motorists traveling along M-24 and would significantly reduce the sign's effectiveness as a means of tenant identification and wayfinding. The requested location represents the only building elevation that provides adequate visibility for visitors attempting to locate the property from the roadway.

The need for this placement variance is further influenced by several unique site characteristics, including:

- The building's orientation toward M-24 rather than the traditional Broadway streetscape.*
- The multi-story, multi-tenant nature of the building.*
- Mature landscaping and tree coverage that partially obscures the building.*
- The significant traffic volume along M-24, which carries approximately 41,992 vehicles per day.*
- The disconnect between the property's legal address and the roadway by which visitors commonly identify the area.*
- Existing tenant signage already located on the building façade.*

Granting the requested placement variance would improve patient wayfinding and building identification without negatively affecting neighboring properties or altering the overall character of the corridor. The proposed sign would remain architecturally compatible with the existing structure and would not impair public health, safety, comfort, or welfare.

Planner Response:

The variance requested is due to some unique circumstances to the property, since there is no public entrance on the south side of the building, no sign would be allowed to place there, which is a missed opportunity for advertising the businesses within the building. The regulations are specific for multi-tenant commercial (non-residential) uses. The Board should consider whether granting a tenant-specific wall sign on



a façade without a public entrance could create inequities among other tenants within the building and establish a precedent for similar requests. If multiple tenants sought comparable signage, the cumulative visual impact could exceed what was intended by the Sign Ordinance.

E. The problem and resulting need for the variance has been created by strict compliance with the Zoning Ordinance, and not by the applicant or applicant's predecessors; it is not self-created.

Applicant Response:

The practical difficulties associated with this property existed long before the current tenant occupied the space and arise from the property's location and physical configuration, including its orientation toward M-24 (Lapeer Road), its status as a multi-story, multi-tenant office building, the mature landscaping along the roadway, the limited visibility created by the roadway geometry, and the disconnect between the property's legal address of 214 South Broadway Street and the roadway by which visitors commonly identify and navigate the area.

These conditions are inherent to the property itself and were not created by the applicant or the applicant's predecessors. Strict compliance with the current sign ordinance limits the ability of patients and visitors to identify the correct building in sufficient time to safely access the property from M-24.

Furthermore, the property differs from many nearby businesses that are located directly on Broadway Street and benefit from lower vehicle speeds, direct frontage, and multiple existing tenant signs.

The applicant has occupied the premises for more than five years with the property owner's approval and has worked in good faith with the Village to obtain the necessary approvals. The requested variance is intended to address longstanding property-specific wayfinding and tenant-identification challenges that existed prior to the applicant's occupancy and were not created by the applicant.

Planner Response:

We agree that the challenges the applicant is facing are a result of the properties location and physical configuration.

F. Granting the variance will not impair the public health, safety, comfort, or welfare of the inhabitants of Lake Orion.

Applicant Response:

Granting the requested variance will not impair the public health, safety, comfort, or welfare of the inhabitants of Lake Orion because the proposed sign is intended primarily to improve tenant identification and wayfinding for patients and visitors traveling to the property. The sign will not alter traffic patterns, reduce parking, obstruct sight lines, or interfere with pedestrian or vehicular movement.

The subject property is located along M-24 (South Broadway/Lapeer Road), which carries approximately 41,992 vehicles per day. Because the building is set back from the roadway, partially screened by mature landscaping, and located along a curved section of the corridor, visitors often have difficulty identifying the correct building before reaching the entrance. Improving building identification will assist motorists in locating the property safely and efficiently, reducing unnecessary turns, abrupt lane changes, and confusion along the roadway.



Additionally, the proposed sign is architecturally compatible with the existing building and surrounding commercial properties and will not create noise, glare, or any other nuisance affecting neighboring businesses or residents.

The property already contains tenant identification signage, including the existing Edward Jones wall sign, and nearby multi-tenant buildings along the corridor utilize similar forms of tenant identification. The requested variance would therefore maintain the commercial character of the area while improving access and wayfinding for patients seeking medical and wellness services.

For these reasons, granting the variance will promote safe navigation to the property and will not adversely affect the public health, safety, comfort, or welfare of the residents of Lake Orion.

Planner Response:

Granting the applicant would not impair public health, safety, comfort or welfare of the inhabitants of the Village of Lake Orion.



RECOMMENDATION

The Board of Zoning Appeals shall only grant a variance from the requirements of the Zoning Ordinance upon finding the criteria described above have been met for the variance requested. In making your determinations relative to the requested variance, the BZA shall specify the grounds for the decision.

Findings of Fact Supporting Denial

Should the Board determine that the practical difficulty standards have not been met, the following findings may support denial:

1. Strict compliance does not unreasonably prevent use of the property for a permitted purpose.
2. Existing signage opportunities provide reasonable tenant identification.
3. The requested variances have not been demonstrated to be the minimum necessary to provide relief.
4. Approval may create inequities among tenants and establish a precedent inconsistent with the intent of the Sign Ordinance.

Findings of Fact Supporting Approval

Should the Board determine that the practical difficulty standards have been met, the following findings may support approval:

1. The practical difficulty arises from unique physical characteristics of the property.
2. The conditions were not created by the applicant.
3. The requested relief would improve site identification and access without negatively affecting adjacent properties.
4. Approval would not impair public health, safety, comfort, or welfare.
5. The requested sign remains compatible with the character of the surrounding commercial corridor.

Based upon the information submitted by the applicant, staff's review of the request, and subject to any evidence presented during the public hearing, McKenna Staff recommends **denial** of the requested variances.

We look forward to reviewing these findings and recommendations with you. Please feel free to contact us with any questions.

Respectfully submitted,

McKENNA

Jacob VanBoxel, MSA
Principal Planner

Sommer Nafal, NCI
Assistant Planner

cc: Village Clerk: Sonja Stout, 21 E. Church Street, Lake Orion, MI 48362
Applicant: Kari Torkko, 214 S Broadway Ste 300