

**WHITE LAKE TOWNSHIP
ZONING BOARD OF APPEALS**

**REPORT OF THE
COMMUNITY DEVELOPMENT DEPARTMENT**

TO: Zoning Board of Appeals
FROM: Justin Quagliata, Staff Planner
DATE: March 28, 2024

Agenda item: 8a

Appeal Date: March 28, 2024

Applicant: Northern Sign

Address: 2181 E. Walton Blvd., Ste. 100
Auburn Hills, MI 48326

Zoning: GB General Business

Location: 10951 Highland Road
White Lake, MI 48386

Property Description

The 14-acre parcel identified as 10951 Highland Road is located on the south side of Highland Road, east of Elizabeth Lake Road, and zoned GB (General Business).

Applicant's Proposal

Northern Sign, the Applicant, on behalf of Cummings Signs and property owner Kroger Co. of Michigan, is proposing to install an additional wall sign on the building.

Planner's Report

In accordance with Section 5.9.J.ii.b of the Zoning Ordinance, a maximum of one (1) wall sign is permitted for each principal building. In the case of a building with two or more tenants, one (1) wall sign is permitted per tenant. Principal buildings with front facades at least 250 feet long may be permitted a total of 3 signs, whose total area shall conform to the maximum size of signs (the total area of all wall signs shall not exceed ten (10) percent of the front facade of the principal building. In the case of a structure with two or more tenants, the total sign area per tenant shall not exceed ten (10) percent of the front facade for the individual tenant space. Signs for single tenants that occupy three or more contiguous tenant spaces shall require review and approval by the Planning Commission. Principal structures that are setback at least 100 feet from the right of way may be permitted signage that does not exceed 15% of the front facade of each tenant space. The maximum size of any individual wall sign shall be two hundred (200) square feet). In instances where a parcel has frontage on two (2) streets, an additional wall sign may be permitted on the building facing the secondary thoroughfare, which is no greater than 5% of the wall area on which the sign is placed.

Following is a list of the existing wall signs (note no sign variances previously granted):

North Facade

- “Kroger Marketplace” – 164.84 square feet
 - “Kroger Pharmacy” – 79.72 square feet
 - “Drive-Thru” – 33.25 square feet
 - “Starbucks Coffee” – 39.58 square feet
 - “Murray’s, We Know Cheese” – 25.55 square feet
 - “Comerica Bank” – 20.65 square feet
- Subtotal: 6 signs; 363.59 square feet

West Facade / Porte-cochère

- “Kroger Marketplace” – 164.84 square feet
 - “Enter/Clearance (10’6”)” – 9.58 square feet (directional; not counted as sign area)
 - “Exit/Do Not Enter” – 9.58 square feet (directional; not counted as sign area)
- Subtotal: 3 signs; 164.84 square feet

Total (north and west facades): 528.43 square feet; 9 wall signs.

Not included in the total number of signs and size on the previous page are two unpermitted banners (sizes unknown) stating “Now Hiring” on the north facade of the building, which have been on the building since at least November 2016. The existing wall signs exceed the maximum number of signs permitted by the Zoning Ordinance. As previously noted, no sign variances have been granted for the property. In May 2016, previous Building Division staff issued permits for the current wall signage. Variances should have been required from the Zoning Board of Appeals. Any additional wall signage requires a variance.

The Applicant is requesting a variance to install a seventh wall sign (or ninth sign when including the unpermitted banners) on the north elevation of the building (tenth sign on the building). The sign states “Pickup” and is 63.10 square feet in size. With the additional sign, the wall sign area on the north elevation of the building would increase to 426.69 square feet, and total wall sign area on the building would increase to 591.53 square feet.

The requested variance is listed in the following table.

Variance #	Ordinance Section	Subject	Standard	Requested Variance	Result
1	Article 5.9.J.ii.b	Maximum number of wall signs	3 wall signs (north facade)	1 wall sign (north facade)	7 wall signs 2 banners (north facade)

Zoning Board of Appeals Options:

Approval: I move to approve the variance requested by Northern from Article 5.9.J.ii.b of the Zoning Ordinance for Parcel Number 12-22-301-014, identified as 10951 Highland Road, in order to install a seventh wall sign on the north facade. This approval will have the following conditions:

- The Applicant shall obtain all necessary permits from the White Lake Township Building Division.
- The unpermitted banners currently on the building shall be removed.
- No additional signage shall be permitted on the building.
- Any future modification to signage on the building, except for eliminating signage, shall require approval of the Zoning Board of Appeals.

Denial: I move to deny the variance requested by Northern Sign for Parcel Number 12-22-301-014, identified as 10951 Highland Road, due to the following reason(s):

Postpone: I move to postpone the appeal of Northern Sign *to a date certain or other triggering mechanism* for Parcel Number 12-22-301-014, identified as 10951 Highland Road, to consider comments stated during this public hearing.

Attachments:

1. Variance application dated January 3, 2024.
2. Proposed wall sign location plan dated October 6, 2023.
3. Proposed wall sign dimension plan dated June 27, 2023.

7.37 STANDARDS

General variances: The Zoning Board of Appeals may authorize a variance from the strict application of the area or dimensional standard of this Ordinance when the applicant demonstrates all of the following conditions "A - E" or condition F applies.

A. Practical difficulty: A practical difficulty exists on the subject site (such as exceptional narrowness, shallowness, shape or area; presence of floodplain; exceptional topographic conditions) and strict compliance with the zoning ordinance standards would unreasonably prevent the owner from using of the subject site for a permitted use or would render conformity unnecessarily burdensome. Demonstration of a practical difficulty shall have a bearing on the subject site or use of the subject site, and not to the applicant personally. Economic hardship or optimum profit potential are not considerations for practical difficulty.

B. Unique situation: The demonstrated practical difficult results from exceptional or extraordinary circumstances or conditions applying to the subject site at the time the Ordinance was adopted or amended which are different than typical properties in the same zoning district or the vicinity.

C. Not self created: The applicants problem is not self created.

D. Substantial justice: The variance would provide substantial justice by granting the property rights similar to those enjoyed by the majority of other properties in the vicinity, and other properties in the same zoning district. The decision shall not bestow upon the property special development rights not enjoyed by other properties in the same district, or which might result in substantial adverse impacts on properties in the vicinity (such as the supply of light and air, significant increases in traffic, increased odors, an increase in the danger of fire, or other activities which may endanger the public safety, comfort, morals or welfare).

E. Minimum variance necessary: The variance shall be the minimum necessary to grant relief created by the practical difficulty.

F. Compliance with other laws: The variance is the minimum necessary to comply with state or federal laws, including but not necessarily limited to:

i. The Michigan Right to Farm Act (P.A. 93 of 1981) and the farming activities the Act protects;

ii. The Americans with Disabilities Act of 1990 (as amended), and the needs of handicapped individuals the Act protects, including accessory facilities, building additions, building alterations, and site improvements which may not otherwise meet a strict application of the standards of this Ordinance.

Under no circumstances shall the Board of Appeals grant a variance to allow a use not permissible under the terms of this Ordinance in the district involved, or any use expressly or by implication prohibited by the terms of this Ordinance in said district.

CHARTER TOWNSHIP OF WHITE LAKE
ZONING BOARD OF APPEALS APPLICATION
Community Development Department, 7525 Highland Road,
White Lake, Michigan, 48383
(248) 698-3300 x5

APPLICANT'S NAME: Northern Sign PHONE: 248-333-7733
ADDRESS: 2181 E Walton Blvd Ste 100 Auburn Hills, MI 48326
APPLICANT'S EMAIL ADDRESS: tammy@northernsign.com
APPLICANT'S INTEREST IN PROPERTY: OWNER BUILDER OTHER: Sign Installer

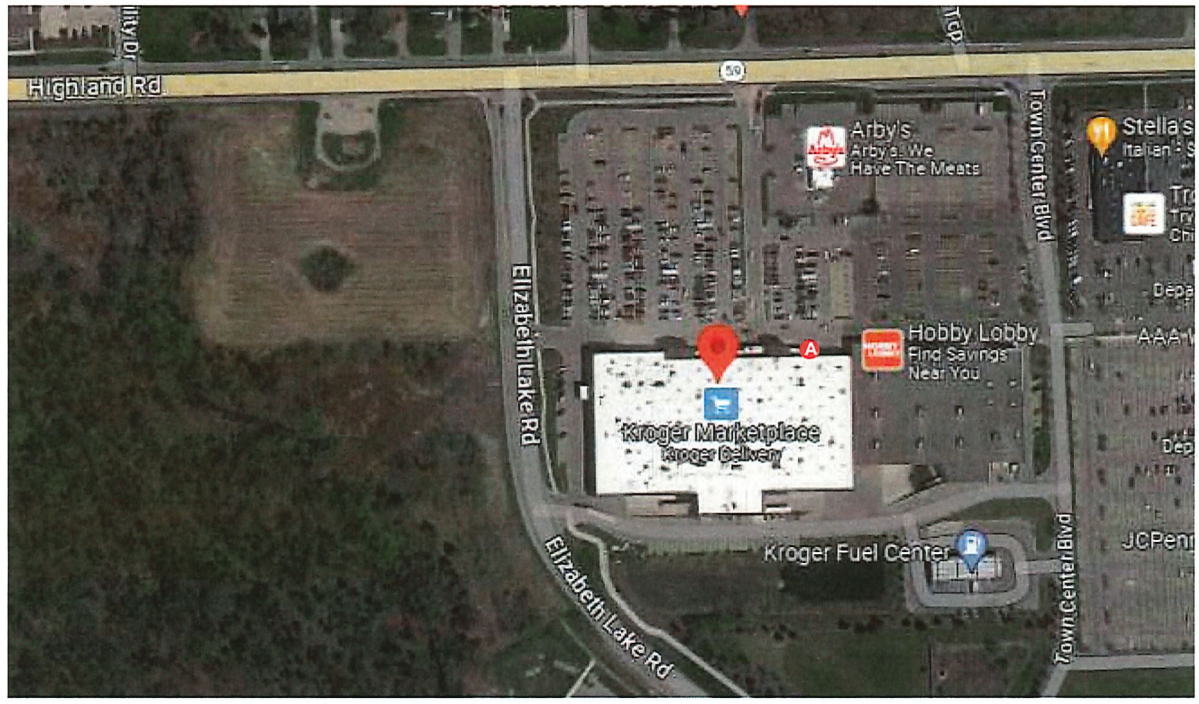
ADDRESS OF AFFECTED PROPERTY: 10951 Highland PARCEL # 12-22-301-014
CURRENT ZONING: General Business PARCEL SIZE: _____

STATE REQUESTED VARIANCE AND ORDINANCE SECTION: _____
VALUE OF IMPROVEMENT: \$ _____ SEV OF EXISITING STRUCTURE: \$ _____

STATE REASONS TO SUPPORT REQUEST: (ATTACH WRITTEN STATEMENT TO APPLICATION)

APPLICATION FEE: \$440.00 (CALCULATED BY THE COMMUNITY DEVELOPMENT DEPARTMENT)
APPLICANT'S SIGNATURE: *Richard Tillman* DATE: 1-3-24



QTY.	DESCRIPTION	SQ. FT.
A 1	PICKUP LTR. SET W/CART	63.1



EXISTING FRONT ELEVATION



KROGER #759
10951 HIGHLAND ROAD
WHITE LAKE, MI

 <p>THIS IS AN ORIGINAL UNPUBLISHED DRAWING CREATED FOR YOUR PERSONAL USE IN CONNECTION WITH A PROJECT PLANNED FOR YOU BY CUMMINGS. IT IS NOT TO BE SHOWN OUTSIDE YOUR ORGANIZATION NOR USED, REPRODUCED, COPIED, OR EXHIBITED IN ANY FASHION UNLESS AUTHORIZED IN WRITING BY AN OFFICER OF CUMMINGS SIGNS.</p>	<p>CUSTOMER APPROVAL:</p> <p>DATE: _____</p>	<p>DATE BY</p> <p>Rev. #1 _____</p>	<p>DATE BY</p> <p>Rev. #4 _____</p>		<p>DRAWING NO:</p> <p>1162988766.00</p>	
		<p>DATE: _____</p>	<p>Rev. #2 _____</p>		<p>Rev. #5 _____</p>	<p>10.6.2023</p>
		<p>DATE: _____</p>	<p>Rev. #3 _____</p>		<p>Rev. #6 _____</p>	<p>S. Hawke</p>



PROPOSED

A INSTALL NEW PICKUP LETTER SET AS SHOWN.

KROGER #759
 10951 HIGHLAND ROAD
 WHITE LAKE, MI



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CUSTOMER APPROVAL:

DATE: _____

	DATE	BY		DATE	BY
Rev. #1	_____	_____	Rev. #4	_____	_____
Rev. #2	_____	_____	Rev. #5	_____	_____
Rev. #3	_____	_____	Rev. #6	_____	_____



DRAWING NO:
1162988766.00
10-6-2023
 S. Hawke


INTERNALLY ILLUMINATED CHANNEL LETTERS

A



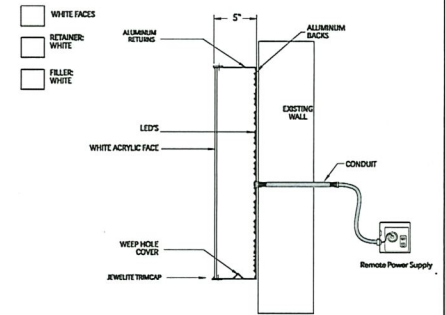
- FOR USE ON CMU BLOCK OR EIFS SUBSTRATE.
- NOT INTENDED FOR USE ON NEW OR EXISTING BRICK FINISHES WITHOUT EXPRESS APPROVAL FROM G.O. PLANNING AND DESIGN.
- NOT INTENDED FOR USE ON LOCATIONS UNDER LARGE ARCHITECTURAL OVERHANGS OR CANOPIES

WALL PAINTED TO MATCH KROGER BLUE VINYL -

 Kroger Blue (PMS 2728C) - Exterior Quart Formula

SCALE: 1/2" = 1'-0"

- INTERNALLY ILLUMINATED CHANNEL LETTERS. ALUMINUM SIDES & BACK PAINTED WHITE. WHITE TRIMCAP RETAINER. FLAT, WHITE POLYCARBONATE FACE WHITE LED ILLUMINATION.



TYPICAL PAINTED AREA:
 PICKUP FRONT ENTRY
 DOOR NEAR CORNER -
 CENTERED HORIZONTALLY OVER CANOPY/DOOR AND OR
 AT LEAST 1'-6" FROM CORNER OF BUILDING.
 CREATE PAINT FINISH BREAK ON OPPOSITE SIDE
 EQUAL DISTANCE FROM EDGE OF SIGN LEFT & RIGHT.



TYPICAL PAINTED AREA:
 PICKUP FRONT ENTRY
 DOOR ON BLANK FACADE -
 CENTERED HORIZONTALLY OVER CANOPY/DOOR.
 INSTALLED 8-12" FROM BOTTOM OF CORNICE/COPING - or -
 CENTERED VERTICALLY BETWEEN CANOPY OR DOOR AND
 CORNICE/COPING.
 CREATE PAINT FINISH BREAKS 3' MINIMUM FROM EDGE OF SIGNAGE.

63.1 SQ. FT.

PART # 403-23-CL36-PUCRTWH



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CUSTOMER APPROVAL:

DATE: _____

Rev. #1	DATE	BY	Rev. #4	DATE	BY
Rev. #2			Rev. #5		
Rev. #3			Rev. #6		



DRAWING NO:
7699332377.02A1

DATE: 6.27.2023

S. Hawke