

**CHARTER TOWNSHIP OF CANTON
ZONING BOARD OF APPEALS
April 8, 2021**

A meeting of the Zoning Board of Appeals of the Charter Township of Canton was held Thursday, April 08, 2021 via electronic remote access.

Vice-Chairperson, Vicki Welty, called the meeting to order at 7:04pm.

ROLL CALL:

Members Present: Craig Engel - Canton Township, Mi; Greg Greco - Canton Township, Mi; Greg Demopoulos - Plymouth, Mi; Vicki Welty - Canton Township, Mi; James Cisek – Canton Township, Mi

Staff Present: Patrick Sloan, Community Planner

APPROVAL OF MINUTES FOR THE MARCH 11, 2021 MEETING

Motion by Greg Greco, supported by Craig Engel to accept the minutes as presented.

Ayes: Craig Engel, Greg Greco, and Vicki Welty on roll call vote.

Greg Demopoulos abstained, as he was not present for the March 11th, 2021 meeting.

AGENDA ITEM

1. Applicant, Lora Martinson, representative of Springfield Sign, for property located at 45275 Ford Road, located on the south side of Ford Road and east of Canton Center Road, Zoning C-2, Community Commercial in the Central Business District Overlay. Appealing Article 6A, Section 6A.15 (Menu Order and Similar Drive-Through Assistance Signs) of the Zoning Ordinance. The requested variance is to allow a menu order/similar drive-through assistance sign to exceed the maximum area of 24 sq. ft. as illustrated on the submitted plans. Parcel ID 058-99-0003-720 (part of) (Building).

Representative, Trey Watts, with Springfield Sign, national sign provider for Culver's Restaurant, is asking for an adjustment to allow their brand standard menu board in the drive through lane at the new Canton Culver's restaurant. This menu board is a standard throughout the country and it allows them to showcase the entire diverse menu. According to the representative, copy area of the menu board is 29.55 sq. ft. of actual copy. This would be an increase from the 24 sq. ft. allowed per the code.

Greg Demopoulos asked if this is approved, what is stopping other restaurants from doing the same thing.

Trey Watts stated that he can not speak for other brands. Culver's has a more diverse menu which is why the larger board is needed.

Vicki Welty asked if this is the same menu board that is at every Culver's Restaurant around the nation.

Mr. Watts responded that this board is at around 90% of the stores.

Ms. Welty asked, "What's at the other 10%?"

Mr. Watts replied that a lot of them have the older style board that has not been updated yet. This board presented today is the new brand standard.

Ms. Welty asked Mr. Watts in all of his time representing Culver's, has he ever run into a community that this was against regulations, and if so what happened in those communities?

Mr. Watts responded that, yes, he has and that he has done the same thing that he's doing tonight and ask for a variance. He stated that there is a sign that is half this size, that does not make it an ideal fit. It does not allow for the full menu to be seen and there are some additional costs to support the smaller board.

Ms. Welty asked, "Why would there be some additional costs to support the board?"

Mr. Watts said that they have standardized the product so it's the same all across. All pictures are produced in mass for the standard size board. With the smaller size board they need to alter it, so there are additional costs because it is not mass produced.

Ms. Welty asked Mr. Watts if the Township knew from the beginning of the project that they were going to want a board that is this big? Did this come up in planning?

Mr. Watts was not aware if the full sign package was ever presented to the Township, but he has never shown a differ size board than this.

Craig Engel asked, "How much larger than 24 sq. ft. are you looking at?"

Mr. Watts answered that the total is 29.55 sq. ft. That is the actual graphics or the image of the board. So that is 29.55 sq. ft. of actual pictures.

Mr. Demopolous said, "Wouldn't that be the same with other fast food restaurants, their entire board isn't all font. Any 24 sq. ft. sign is going to be a lot less in pictures?"

Ms. Welty asked if it is actually an 18.5 ft variance.

Patrick Sloan, Community Planner, clarified that the way Canton Township, like many other communities, defines sign area, is not by adding up every graphic and piece of text. We look at the outer dimensions of the panel itself, which may include pictures, text, and most likely blank space. In this case according to our ordinance, it is actually 42.5 sq. ft. based on the panel itself. The variance request is actually 18.5 ft.

Mr. Demopolous questioned Mr. Sloan if two signs at a drive through is allowed.

Mr. Sloan said that only 1 ordering board is allowed per drive though lane.

Mr. Sloan noted some items from the Building Official, Rob Creamer's report that was included in the packet. Although he understands why Culver's wants to use the same signage that they use at other locations, the Township ordinance doesn't allow for this. If everyone could just utilize what they used in other communities, there would be no reason to have this ordinance for the menu board. Based on their review, the proposal doesn't include any practical difficulty or hardship. Additionally, this could cause a precedent for other fast food restaurants that would want a larger menu board. Therefore, what is proposed is based on the size of the sign, and is a variance that is a 77% increase. Since there is no finding of a practical difficulty by staff and the that the proposed hardship is self-created, staff's recommendation is that the variance be denied.

Motion by Vicki Welty, supported by Greg Demopolous to open the Public Hearing. Ayes: All on roll call vote.

No one from the public is in attendance.

Motion by Vicki Welty, supported by Greg Demopolous to close the Public Hearing. Ayes: All on roll call vote.

Mr. Cisek agrees with the findings of staff. He believes this is way too much signage. He firmly believes that the sign package that we have in the community is working well for all businesses. He will not back a variance of this size.

Vicki Welty added that this is not the first time the board has voted on this issue. They voted on larger menu boards several years ago. It was denied at that point, and she would not be in favor of this variance.

Motion by Greg Demopolous to deny the requested variance in the showing that there has been no practical difficulties or unique circumstances shown.

Motion Supported by Vicki Welty. Ayes: All on roll call vote.

Variance Request has been denied.

Motion by Craig Engel to adjourn meeting. Supported by Vicki Welty. Ayes: All on roll call vote.

Meeting adjourned at 7:25 pm

Alison Eisenbeis, Recording Secretary