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CITY OF PONTIAC  
ZONING BOARD OF APPEALS MEETING  
TUESDAY, MARCH 17, 2015  
7:00 P.M.

Meeting before the Zoning Board of Appeals, at 47450 Woodward Avenue, 2nd Floor, Council Chambers, Pontiac, Michigan 48342, on Tuesday, March 17, 2015.

BOARD COMMISSIONERS:

- Lee Todd, Chairman
- Ahmad Taylor, Vice Chairman
- Elcine Kirkendolph, Commissioner
- Sam Anderson, Commissioner
- Joseph Sinclair, Commissioner
- Carlos Bueno, Commissioner (Absent)

ALSO PRESENT:

- C. James Sabo, Professional Planner
- Gordon Bowdell, Associate Planner

COMMISSIONERS OF THE PUBLIC ADDRESSING THE BOARD:

Keith Murray (Visual Entities)

TRANSCRIBED BY:

Quentina R. Snowden, (CSR-5519)  
Certified Shorthand Reporter,  
Notary Public

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9	A.	
10	PUBLIC HEARING NUMBER: ZBA-15-02	
11	ADDRESS: 44555 WOODWARD AVE.	
12	ZONE: C-O RESIDENTIAL OFFICE	
13	VARIANCE REQUEST:	
14	SIGN VARIANCE REQUEST	
15	* INCREASE MAXIMUM NUMBER AND	
16	SIZE OF BUILDING-MOUNTED SIGNS	
17	* INCREASE MAXIMUM NUMBER AND SIZE	
18	OF GROUND (DIRECTIONAL) SIGNS	
19	PRESENT USE & OCCUPANCY:	
20	ST. JOSEPH MERCY OAKLAND	
21	PROPOSED USE & OCCUPANCY:	
22	ST. JOSEPH MERCY OAKLAND	
23	(MOTION TO APPROVE)	13
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1 PONTIAC, MICHIGAN; TUESDAY, MARCH 17, 2015

2 7:00 P.M.

3 CHAIRMAN TODD: Good evening,  
4 everybody. We'll call the meeting to order. Can I  
5 have roll call, please.

6 MR. BOWDELL: Mr. Sinclair?

7 COMMISSIONER SINCLAIR: Present.

8 MR. BOWDELL: Ms. Kirkendolph?

9 COMMISSIONER KIRKENDOLPH: Here.

10 MR. BOWDELL: Mr. Anderson?

11 COMMISSIONER ANDERSON: Here.

12 MR. BOWDELL: Mr. Todd?

13 CHAIRMAN TODD: Here.

14 MR. BOWDELL: Mr. Bueno is excused.

15 Chair -- Mr. Taylor?

16 COMMISSIONER TAYLOR: Here.

17 MR. BOWDELL: We have a quorum.

18 CHAIRMAN TODD: Thank you. Any new  
19 communications from staff?

20 MR. BOWDELL: Only Brent Sykes has  
21 been appointed, just has to be sworn in.

22 CHAIRMAN TODD: Okay. Good. So  
23 should be available for next month?

24 MR. BOWDELL: That's correct.

25 CHAIRMAN TODD: Can I get a motion to

1 adopt the minutes from our last meeting from  
2 February 17th?

3 COMMISSIONER SINCLAIR: Moved.

4 COMMISSIONER KIRKENDOLPH: Support.

5 CHAIRMAN TODD: Roll call.

6 MR. BOWDELL: Mr. Taylor?

7 COMMISSIONER TAYLOR: Yes.

8 MR. BOWDELL: Ms. Kirkendolph?

9 COMMISSIONER KIRKENDOLPH: Yes.

10 MR. BOWDELL: Mr. Sinclair?

11 COMMISSIONER SINCLAIR: Yes.

12 MR. BOWDELL: Mr. Anderson?

13 COMMISSIONER ANDERSON: Yes.

14 MR. BOWDELL: Chair Todd?

15 CHAIRMAN TODD: Yes.

16 No Old Business. Moving to New  
17 Business. Public hearing number ZBA-15-02. Can we  
18 have a finding of fact, please?

19 MR. BOWDELL: Sure. This is  
20 ZBA-15-02, 44555 Woodward Avenue. Some sign  
21 variance requests for St. Joseph Mercy Oakland.  
22 This is the site here. The sign requests are in  
23 this area.

24 The variance request for Section  
25 5.103, this is for wall signs. The property

1 already -- excuse me, this is for directional signs,  
2 ground directional signs. They're only limited to  
3 40 square feet of sign face per property. They  
4 already exceed that, so they're in -- also, no  
5 single sign shall exceed 10 square feet in area. So  
6 they're requesting a 3.41 square foot variance per  
7 sign, and another 40.23 square feet for the entire  
8 property for directional signs.

9           And the second variance is for  
10 building-mounted signs. They already exceed their  
11 building-mounted signs and they're requesting 98.33  
12 square feet for an additional wall sign.

13           This is what's existing. And they're  
14 looking to put this medical office building sign and  
15 address and they're also proposing these three  
16 ground directional signs on the property. This is  
17 the site, Woodward. This is northbound Woodward  
18 here. This is their proposed building-mounted sign.  
19 This is ground sign 1, ground sign 2, ground sign 3,  
20 and then this is just all of their locations.

21           The undue hardship is that they're  
22 seeking it -- for the building-mounted sign, they're  
23 seeking an additional set of non-illuminated  
24 building letters along the address -- and address  
25 numbers to be better visible to the community and

1 fire safety. For directional sign 1, they are  
2 seeking an additional non-illuminated ground  
3 directional sign along the west side of Woodward  
4 Avenue to better identify to community and fire  
5 safety the entrance before the approach traveling on  
6 southbound Woodward. And for directional sign 2 and  
7 3 they're seeking an additional ground sign in the  
8 interior on the property to facilitate the safety  
9 movement of traffic upon the arrival to the  
10 facility.

11 The zoning is C-0, residential office  
12 zoning district, and the surrounding properties are  
13 the same as well as R-1 one-family dwelling  
14 district.

15 Staff findings is it zoned C-0, the  
16 applicant is seeking to construct a building-mounted  
17 sign and those three directional ground signs on the  
18 property. They did receive variances in the past  
19 for the same type of requests; this was in 2011 they  
20 were granted all these variances for directional  
21 signs. And in 2013, they were also granted these  
22 four sign -- ground signs and one wall sign  
23 variance. The proposed ground directional signs  
24 exceed the maximum square footage permitted. The  
25 proposed building-mounted sign exceeds the

1 maximum in number and size permitted. It appears,  
2 though, that the Sign and Zoning Ordinance does not  
3 anticipate or provide regulations for a large campus  
4 such as this hospital.

5 In order for the Zoning Board of  
6 Appeals to grant a non-use sign variance, they must  
7 find that, one, there's compliance with the strict  
8 letter of restrictions governing area, setback,  
9 frontage, height, bulk, lot coverage, density or  
10 other dimensional or construction standard, or will  
11 unreasonably prevent the owners from using the  
12 property for a permitted purpose.

13 It may or may not meet the standard.  
14 Compliance with the sign regulations would not  
15 prevent the applicant or owner from using the  
16 property for a permitted purpose. However, the  
17 largeness of the campus is unique and conformance to  
18 these regulations may be considered unnecessarily  
19 burdensome.

20 Two, a grant of the variance will do  
21 substantial justice to the applicant as well as  
22 other property owners in the district.

23 It appears to meet the standard. A  
24 lesser variance does not appear to provide relief to  
25 the applicant. The site is very large and

1 directional navigational signs are needed to  
2 properly direct traffic.

3 Three, the plight of the applicant is  
4 due to the unique circumstances of the property.  
5 Meets that standard. The parcel size, design and  
6 layout of the hospital is very unique.

7 Four, the problem is not self-created.  
8 Meets the standard. Due to the uniqueness of the  
9 site, their request does not appear to be  
10 self-created.

11 Five, the spirit of the Ordinance will  
12 be observed. Meets that standard.

13 Six, there is compliance with light  
14 and air requirements. It meets that standard.

15 And seven, for discretionary --  
16 discretionary approval is not required.

17 Based on that, the recommendation is  
18 to approve the proposed sign variances for the  
19 building-mounted sign of 98.33 square feet and the  
20 three directional signs at 13.41 square feet each.  
21 That is my report. I can answer any questions, and  
22 the applicant is here as well.

23 CHAIRMAN TODD: Good evening.

24 MR. MURRAY: Good evening.

25 CHAIRMAN TODD: Would you like to add



1 anything to what staff has presented?

2 MR. MURRAY: Yes. I was just going  
3 over the --

4 CHAIRMAN TODD: If you would, state  
5 your name and address for the record first.

6 MR. MURRAY: My name Keith Murray. My  
7 address is 22459 Hampton Court, Farmington Hills. I  
8 work for Visual Entities, and we're here on behalf  
9 of the St. Joseph Mercy.

10 CHAIRMAN TODD: Thank you. Can you  
11 take the microphone with you. I think it will pop  
12 right out of that. No, the one right on the stand  
13 there. Should be able to just pull it forward.  
14 There you go. Then we can get you on the record.

15 MR. MURRAY: Gordon, can you go back  
16 to the site plan. I think we've misidentified a  
17 couple between 2 and 3. 3 is, I believe 2 and 2 is  
18 3, just --

19 MR. BOWDELL: Okay.

20 MR. MURRAY: And the other thing is,  
21 by bringing this up, sign 2, I found out after the  
22 fact, is a replacement for the sign that's damaged  
23 there.

24 MR. BOWDELL: And that is --

25 MR. MURRAY: Yeah.

1 MR. BOWDELL: -- this one.

2 MR. MURRAY: So I didn't know that.

3 Not that it makes a difference, I don't know if it  
4 does, but I just want to let you guys know.

5 MR. BOWDELL: So if that is -- if that  
6 is the case, are you requesting that no variance  
7 would be needed on sign 2?

8 MR. MURRAY: I -- I don't know. I  
9 just wanted to bring that up, because I didn't know  
10 that this was a damaged sign, and this is actually a  
11 replacement.

12 MR. BOWDELL: If it is a replacement,  
13 no variance would be needed.

14 CHAIRMAN TODD: Same size?

15 MR. MURRAY: Same -- actually, the  
16 other one I think is a little bit different design,  
17 but I think it's the same size. It's just they have  
18 the newer design.

19 CHAIRMAN TODD: If it's a replacement,  
20 you don't need a variance for that one.

21 MR. MURRAY: Okay.

22 CHAIRMAN TODD: That was -- that's  
23 number 2?

24 MR. MURRAY: That would be number 3  
25 here on the site plan.

1 CHAIRMAN TODD: Okay.

2 MR. BOWDELL: This one?

3 MR. MURRAY: Yes.

4 CHAIRMAN TODD: Then is that the same  
5 as -- as our number 3, the one with Franco Center  
6 and valet parking? So it's -- it must be. Two --  
7 two or three that are the same except for the arrow.

8 MR. MURRAY: Correct.

9 CHAIRMAN TODD: Okay. Was there  
10 anything else you'd like to add?

11 MR. MURRAY: Just want to -- just for  
12 your packets, just -- this particular photo just  
13 shows -- we tried to kind of show the one  
14 directional on Woodward and its approximate location  
15 to try to get traffic to see that they're going to  
16 be taking that right turn into the site. So we just  
17 tried to show that, again, approximate size, scale  
18 to --

19 CHAIRMAN TODD: Thank you. Was there  
20 anything else you'd like to add?

21 MR. MURRAY: Well, I guess for us for  
22 the biggest thing on the directional signage on the  
23 property, is to create that wayfinding and safe  
24 wayfinding within the property, and especially sign  
25 number 1 being out on Woodward that we're -- this is

1 a fairly important sign to get them before the  
2 larger sign, which was past the entrance, which is  
3 sign number 1. So -- and also for the -- the  
4 building letters, trying to keep the address numbers  
5 large enough for fire safety. We do get a lot of  
6 input from fire safety to try to get address numbers  
7 larger, but these are larger than allowed by code  
8 currently. So we were -- we just made them that  
9 large to keep in consistency with the building  
10 letters, so --

11 CHAIRMAN TODD: Okay. Thank you.  
12 Open it up, the hearing for public comment. Anybody  
13 in the audience that wants to comment? Hearing  
14 none, we'll close public comment. And move to  
15 questions from the Board. Mr. Taylor?

16 COMMISSIONER TAYLOR: No questions or  
17 comments. Thank you.

18 CHAIRMAN TODD: Mr. Anderson?

19 COMMISSIONER ANDERSON: No questions  
20 or comments.

21 CHAIRMAN TODD: Ms. Kirkendolph?

22 COMMISSIONER KIRKENDOLPH: No  
23 questions.

24 CHAIRMAN TODD: Mr. Sinclair?

25 COMMISSIONER SINCLAIR: No questions

1 nor comments.

2 CHAIRMAN TODD: Can I get a motion?

3 COMMISSIONER TAYLOR: Make a motion to  
4 approve variance ZBA-15-03 (sic) for the  
5 building-mounted sign and the three directional  
6 signs.

7 COMMISSIONER ANDERSON: Support.

8 CHAIRMAN TODD: Actually -- actually I  
9 think there is going to be two. Because there's --

10 MR. BOWDELL: Yeah, the revised  
11 recommendation would just be two directional signs.

12 CHAIRMAN TODD: Recommend just the --  
13 and I think I heard a support from Mr. Anderson.

14 COMMISSIONER ANDERSON: Support.  
15 Yeah.

16 CHAIRMAN TODD: Roll call.

17 MR. BOWDELL: Mr. Taylor?

18 COMMISSIONER TAYLOR: Yes.

19 MR. BOWDELL: Mr. Anderson?

20 COMMISSIONER ANDERSON: Yes.

21 MR. BOWDELL: Ms. Kirkendolph?

22 COMMISSIONER KIRKENDOLPH: Yes.

23 MR. BOWDELL: Mr. Sinclair?

24 COMMISSIONER SINCLAIR: Yes.

25 MR. BOWDELL: Chair Todd?

1 CHAIRMAN TODD: Yes.

2 MR. BOWDELL: Motion carries.

3 CHAIRMAN TODD: You're all set.

4 MR. MURRAY: Thank you.

5 COMMISSIONER TAYLOR: Congratulations.

6 CHAIRMAN TODD: We don't have much of  
7 a public, but is there anybody in the public that  
8 wants -- no? Do we have any other miscellaneous?

9 FROM THE AUDIENCE: (Inaudible.)

10 MR. SABO: We do not, Mr. Chairman.

11 CHAIRMAN TODD: Hearing none, I'll  
12 take a motion to adjourn.

13 COMMISSIONER SINCLAIR: A motion to  
14 adjourn.

15 CHAIRMAN TODD: Support?

16 COMMISSIONER KIRKENDOLPH: Support.

17 CHAIRMAN TODD: Yeas? Nays? It's  
18 adjourned.

19 (Audio concluded.)

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STATE OF MICHIGAN )  
                          ) SS  
COUNTY OF GENESEE )

I, Quentina R. Snowden, do hereby state that the foregoing document was reduced to typewritten form by me from digital media, and that it represents a complete, true and correct rendition, to the best of my abilities, of the proceedings held in this cause.

I assume no responsibility for any inaudible portions, if any, by any speakers that are not discernible during the proceedings.

I further certify that I am not connected by blood, or marriage with any of the parties; their attorneys or agents; and that I am not interested, directly, indirectly, or financially, in the matter of controversy.

Dated: May 31, 2015

  
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Quentina R. Snowden, CSR-5519  
Notary Public, Genesee County, Michigan  
My commission expires: 1/4/2018