

BOARD OF ZONING APPEALS MINUTES

A regular meeting of the Farmington Board of Zoning Appeals was held on Wednesday, August 3, 2022 in Council Chambers, 23600 Liberty, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 1976.

Chairperson Aren called the meeting to order at 7:00 p.m.

ROLL CALL

- PRESENT: Aren, Crutcher, Schiffman, Gensheimer
- OTHERS PRESENT: Building Official Jeff Bowdell, Kate Knight (DDA Executive Director), Jess Westendorf (DDA Staff), David & Wina Evancoe (Jeera Properties)

MOTION by Crutcher, SUPPORTED by Schiffman, to approve the minutes of June 2, 2021. Motion carried, all ayes.

MOTION by Crutcher, SUPPORTED by Schiffman, to receive and file the minutes of previous Planning Commission Meeting for May 2021- June 2022. Motion carried, all ayes.

Review and discussion of the appeal of: City of Farmington DDA, Applicant (23600 Liberty Street Farmington, MI 48335) **AND** Jeera Properties, LLC (23623 Farmington, MI 48336)

- Request for a variance to Sec. 25-9, Sign Regulations for Nonresidential Properties, Table 25-09, Wall Sign (A), Maximum Area in Downtown Farmington to allow a 360 sq. ft. graphic on the north wall along an access drive off of Farmington Road. Ordinance allows 10% of the wall up to maximum 100 sq. ft. (360 sq. ft. – 100 sq. ft. = 260 sq. ft. variance). In addition, the applicant requests a variance to Number Permitted (i) of allowing 1 wall sign per parcel as this graphic is for community purpose-not for a tenant.
- Area of proposed mural is approximately half of 600 ft², (60ft x 12ft) / 2= 360 ft²

Overview of DDA Public Art Blueprint mission and mural project by DDA Director Knight.

The public right of way between SIPP and Wina's will be closed with Farmington Road Streetscape project. DDA Public Art Committee and Design Committees have met to discuss methods of activating this new public space including this mural as a priority. This elevation was identified by the community in February 2020 as a premier location for public art at Downtown Farmington's Heart the Art Event. Knight shared painted rendering and detail examples of the mural.

ZBA Discussion of appeal

- Schiffman clarified that if accepted this variation would be granted through the DDA and any change in the approved mural would need to be reapproved by the ZBA.
- Crutcher clarified that the graphic would be applied to the existing paint

MOTION by Schiffman, SUPPORTED by Crutcher, that the Request for a variance to Sec. 25-9, Sign Regulations for Nonresidential Properties, Table 25-09, Wall Sign (A), Maximum Area in Downtown Farmington to allow a 360 sq. ft. graphic on the north wall along an access drive off of Farmington Road be granted for the following reasons and findings of fact. This variance for a painted wall sign is for "Public Art " only it is understood that if there is a change by either party to the terms of the agreement between the property owners (Jeera Properties) and the Farmington DDA, the Farmington DDA will have the sign removed and the building wall restored to its present painted condition. Further any change to the graphic content, size etc. will render this variance void, and therefore any new proposal for "Public Art" would come back for approval through the ZBA and if the tenant or DDA should remove the mural, a new variance approval through the ZBA will be necessary.

1. That the Applicant has shown a unique circumstance in that the mural will be located in the downtown and meets the goals and objectives of the DDA.
2. That the Applicant has shown a unique circumstance in that the mural will be placed near the library where the history of Farmington is stored.
3. That a unique circumstance exists in terms of what the scale and mass of the sign are intended to be of such size that it will effectively identify and advertise and represent the community.
4. And that a practical difficulty exists as the building already has the maximum number of signs per ordinance.
5. And that a practical difficulty exists as the DDA is not a tenant of the building and therefore can't meet ordinance requirements
6. This is not a variance for a sign but instead is variance to allow for "Public Art" as described by the DDA's Public Art committee and the variance request will not run with the land in perpetuity but instead runs for the life of the displayed public Art.

Motion carried, all ayes.

MOTION by Schiffman, SUPPORTED by Gensheimer to adjourn. Motion carried, all ayes.