

# CLINTON TOWNSHIP BOARD OF APPEALS

## REPORT OF MEETING

WEDNESDAY, DECEMBER 11<sup>TH</sup>, 2019

PRESENT: Francis Marella, Chairperson  
Robert M. Campbell, Secretary  
Thomas Mill  
Kenneth Pearl

ABSENT: Michael Deyak, Vice-Chairperson (Excused)  
James D'Angelo (Excused)  
Ronald DiBartolomeo (Excused)

STAFF: Bruce Thompson, AICP, Director  
DEPARTMENT OF PLANNING AND COMMUNITY DEVELOPMENT

The meeting was called to order at 6:30 p.m. and the Pledge of Allegiance was recited.

### **APPROVAL OF AGENDA**

Mr. Marella explained the parameters under which this Board can act and how the public hearing will be conducted. He further explained that, as stipulated in the Township Ordinances, all variances granted by the Board of Appeals are subject to several standard conditions as follows: 1) The petitioner must comply with all applicable requirements of Township ordinances; 2) The project work requiring the variance must be completed within two years of the date that the variance was granted; 3) The project work must be completed substantially in accordance with the plans submitted to the Board of Appeals; and 4) The variance is valid only for the useful life of any structure(s) on the property for which variance is granted.

Mr. Campbell explained that the petitioner for Item #1 (SFR – Moxon, 20975) wishes to withdraw her request for variance. He added that the petitioner for Item #2 (Velic Transportation) has requested to be postponed to next month's meeting due to a medical emergency in the family.

Motion by Mr. Pearl, seconded by Mr. Marella, to approve the agenda as amended, with the deletion of Item #1 and the postponement of Item #2 to next month's meeting, scheduled for January 15<sup>th</sup>, 2020. Roll Call Vote: Ayes – Pearl, Marella, Campbell, Mill. Nays – None. Absent – Deyak, D'Angelo, DiBartolomeo. Motion carried.

**3.429 ACRES LOCATED EAST OF MORAVIAN, SOUTH OF CASS, ADDRESSED AS 20975 MOXON (PARCEL #16-11-15-152-013)**

- **APPEAL: SFR – MOXON, 20975 (POSTPONED FROM NOVEMBER 13<sup>TH</sup>, 2019 MEETING)**

**FILE #19-6908: PETITIONED BY MS. MARLENA FRONCZEK-DUCZYNSKA  
REPRESENTED BY MR. RANDALL FRITCHEY AND  
MR. RICH STRENGER, LAW OFFICES OF RICH STRENGER PLLC**

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This item was deleted from tonight's agenda, but the following motion was made to accept the petitioner's withdrawal:

Motion by Mr. Campbell, seconded by Mr. Mill, with reference to File #19-6908 and application from Ms. Marlena Fronczek-Duczynska, 20975 Moxon Drive, Clinton Township, Michigan 48036, as represented by Mr. Randall Fritchey, same address, and Mr. Rich Strenger, Law Offices of Rich Strenger PLLC, 1064 Arbroak Way, Lake Orion, Michigan 48362, for variance to Clinton Township Building and Housing Code, Part Fourteen, Title Six, Miscellaneous Building Regulations, Chapter 1472.03-J, Fences, General Requirements, Location in Front Yard, concerning 3.429 acres of land located east of Moravian Drive, south of Cass Avenue, addressed as 20975 Moxon Drive (Parcel #16-11-15-152-013), to accept the petitioner's withdrawal of the request for variance to permit the installation of a fence for a single-family residential dwelling in the R-3 One-Family Residential District to be allowed in the front yard, which is not permitted. Motion carried.

**LOTS 31 AND 32, PIPER'S FACTORY SITES NO. 1 SUBDIVISION (3.74 ACRES),  
GENERALLY LOCATED WEST OF GROESBECK HIGHWAY, NORTH OF 15 MILE  
ROAD, ADDRESSED AS 35349 GROESBECK (PARCEL #16-11-28-327-009, -012, -  
013 AND -014)**

- **APPEAL: VELIC TRANSPORTATION**

**FILE #19-6911: PETITIONED BY MR. ALIS VELIC, VELIC  
TRANSPORTATION  
REPRESENTED BY MR. RON CHIESA, RA CHIESA ARCHITECTS**

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This item was deleted from tonight's agenda and will be on the January 15<sup>th</sup>, 2020 agenda.

**UNIT 2, CLINTON TOWNSHIP HOSPITALITY CONDO (3.470 ACRES) LOCATED EAST OF HAYES, SOUTH OF HALL ROAD, ADDRESSED AS 44600 HAYES ROAD (PARCEL #16-11-06-125-002)**

- **APPEAL: RESIDENCE INN (HAYES)**  
**FILE #19-6912: PETITIONED BY MR. MIKE EIDA, ULTIMATE SIGNS**  
**FILE #19-6912: PETITIONED BY MR. KEVIN DETERS, METRO DETROIT SIGNS**
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Mr. Campbell summarized the variance being requested and read the Planner Review letter dated November 20<sup>th</sup>, 2019 into the record. Mr. Campbell advised that notice of this public hearing was issued by regular mail to 177 owners and/or occupants of property located within 300 feet of the land in question, with 6 of those returned as undeliverable. There were no written replies received in response to the mailing.

Mr. Kevin Deters, of Metro Detroit Signs, 11444 Kaltz Avenue, Warren, Michigan 48089, explained they applied for three wall signs for the Residence Inn, all the same size measuring 57.07 square feet. They are permitted only one sign, so they are seeking a variance for the additional two signs. He explained the unique circumstances for this hotel, which includes the extremely large frontage and large elevations on the building, as well as the fact that it is set far back from Hayes Road. For a building that large to have one set of 2-foot letters stating “Residence Inn” is something he did not feel is realistic or useful. He stated the channel letters they are proposing are only 24 inches (2 feet) in height, whereas on a normal-sized sign, he claimed the letters range from 30 inches to 36 inches. He further claimed the three wall signs they are proposing are all small in size and they will not “grab anyone off of Hayes Road” but are more directional in nature because of the number of different businesses in that center, including the Hilton Gardens Inn, which will be situated between Lowe’s and the Residence Inn. He pointed out that if someone has a reservation at one of those two hotels, they will need to identify them. Mr. Deters claimed there are a number of businesses within a one-quarter mile radius of this site that have multiple signs, including Lowe’s, Longhorn Steakhouse, Golden Coral, Tim Horton’s, and a CVS and Wellington Pub further south on Hayes Road that both have a couple of wall signs. He confirmed that, while the subject site has unique circumstances, there are other businesses in the neighborhood that justifiably were issued variances for multiple signs. He did not feel the proposed signage would be diminishing to the neighboring properties.

Mr. Campbell felt this request makes sense, especially considering the practical difficulty that the Residence Inn is located somewhat behind the Hilton Garden Inn and there will be two access roads, with one on each side. He commented it is in the interest of public safety to have those signs at each end, and he commended Mr. Deters for proposing reasonably sized signs.

Mr. Pearl questioned whether the calculation of the three wall signs exceeds the total square footage that is permitted for the one allowed wall sign.

Mr. Campbell replied that they are allowed a sign measuring a maximum of 200 square feet, so the square footage of the three signs combined does not exceed the maximum permitted square footage.

Mr. Pearl stated he has stayed at Residence Inns in other states and he recalled this is their typical signage. He noted the buildings are long, so it would be good to have them properly identified.

Mr. Mill agreed with Mr. Campbell that, with regard to public safety, the additional signage is needed, especially since the development is set so far back from Hayes. It will be easier for emergency vehicles to identify it as well.

Motion by Mr. Campbell, seconded by Mr. Pearl, with reference to File #19-6912 and application from Mr. Kevin Deters, of Metro Detroit Signs, 11444 Kaltz Avenue, Warren, Michigan 48089, for variance to Clinton Township Building and Housing Code, Chapter 1288.02-(e)-(2), Signs, Definitions and Restrictions, "Commercial sign", concerning Unit 2, Clinton Township Hospitality Condo, located on 3.74 acres of land east of Hayes, south of Hall Road (M-59), addressed as 44600 Hayes Road (Parcel #16-11-06-125-002), that variance be granted to permit the installation of three (3) wall signs for a commercial business in the B-3 General Business District (Residence Inn), being two (2) wall signs in excess of the maximum permitted one (1) wall sign; further, this grant of variance is based on the undue hardship of public safety to make sure people get directed to the proper building, and recognizing that there are two access roads to get into this hotel, with one on each side of the hotel; further, this grant of variance is contingent upon compliance with all other requirements of Township ordinances. Roll Call Vote: Ayes – Campbell, Pearl, Mill, Marella. Nays – None. Absent – Deyak, D'Angelo, DiBartolomeo. Motion carried.

## **REPORT OF MEETING**

### **-- APPROVAL OF NOVEMBER 13<sup>TH</sup>, 2019 REPORT**

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Motion by Mr. Campbell, seconded by Mr. Mill, to approve the minutes of the November 13<sup>th</sup>, 2019 Report of Meeting, as presented. Motion carried.

## **BOARD OF APPEALS MEETING SCHEDULE**

### **-- CONFIRMATION OF NEXT MEETING'S AGENDA AND ATTENDANCE: WEDNESDAY, JANUARY 15<sup>TH</sup>, 2020 AT 6:30 P.M.**

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Mr. Thompson confirmed the next Board of Appeals meeting will be held on Wednesday, January 15<sup>th</sup>, 2020 at 6:30 p.m.

Mr. Thompson stated there are four applications for consideration at the next meeting, in addition to the one item that was requested to be postponed from tonight's meeting:

- Single-family residence on Little Road – height of accessory structure

- Single-family residence on Justin Drive – front yard setback of garage addition
- Hilton Garden Inn on Hayes – sign variance
- Midas on Garfield – sign variance for size of electronic readerboard
- Velic Transportation on Groesbeck – postponed from tonight’s meeting.

## **ADJOURNMENT**

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Motion by Mr. Pearl, supported by Mr. Mill, to adjourn the meeting. Motion carried. The meeting adjourned at 6:41 p.m.

Respectfully submitted,

*Robert M. Campbell*

Robert M. Campbell, Secretary  
CLINTON TOWNSHIP BOARD OF APPEALS

ces:12/14/19

ces:12/16/19

*Approved 01/15/2020*