

**CHARTER TOWNSHIP OF CANTON  
ZONING BOARD OF APPEALS  
August 12, 2021**

A meeting of the Zoning Board of Appeals of the Charter Township of Canton was held Thursday, August 12,

2021 at the Township Administration Building located at 1150 S. Canton Center Road, Canton Township, Michigan 48188.

Chairman James Cisek called the meeting to order at 7:03pm and led the Pledge of Allegiance to the Flag.

**ROLL CALL:**

Members Present: James Cisek, Vicki Welty, Greg Greco, John Badeen, Greg Demopoulos

Staff Present: Patrick Sloan, Community Planner

**ACCEPTANCE OF AGENDA FOR August 12.2021**

Motion by John Badeen, supported by Vicki Welty, to accept the agenda as presented.

Ayes: All

**APPROVAL OF MINUTES FOR THE July 8, 2021 MEETING**

Motion by John Badeen, supported by Greg Greco, to accept the minutes as presented.

Ayes: All

Chairman Cisek explained the procedures of the Zoning Board of Appeals to the audience.

**AGENDA**

1. Applicant Jeff Prymas with Gardner Signs, Inc. for property address 7025 N. Lilley Rd. located on the west side of Lilley Road between Warren and Saratoga Roads, Zoning MR, Multi Family Residence. Appealing Article 6A.25, minimum letter size requirements of the Zoning Ordinance. Parcel ID 042-02-0197-304 (Building)

Mr. Jeff Prymas with Gardner Signs, on behalf of ProMedica, is looking to appeal Article 6A.25 that requires the letter height on signs to be 10” in height. He would like to keep the full new name and trademark logo on the signs like the other 20 locations in Michigan and others all across the country. It would be impossible to put this full name on the sign with the 10” lettering with the restriction of the 24 sq. ft. allotted for the sign. He would like to utilize the existing base.

Mr. Patrick Sloan, Community Planner, presented the information from the Building Official Robert Creamer's analysis. The applicant is requesting to install a new ground that does not comply with Section 6.25 of the Sign Ordinance. They propose a 4-7/8" primary lettering (minimum 10" is required) and a 3-1/8" secondary lettering (minimum 5" is required). The minimum lettering is for identification purposes, not necessarily content. The minimum size requirement is for traffic safety and legibility for drivers. Mr. Creamer's analysis states there's a 50% reduction proposed in size of the lettering with no real hardship. The new name has the same number of letters as the old name, but they are significantly smaller on the proposed design. Mr. Sloan said that looking at the proposed plans presented, it appears that there may be space to increase the lettering of "ProMedica" to 10 inches and increase the text of "Skilled Nursing and Rehabilitation" to 5" and possibility still meet the 24 sq. ft requirement. No alternative plans have been submitted. Mr. Creamer's analysis adds that there are no grounds for the variance and it is just out of preference.

**Motion by Vicki Welty, supported by Greg Greco, to open the Public Hearing. Ayes: All**

No audience member wished to speak.

**Motion by John Badeen, supported by Greg Greco, to close the Public Hearing. Ayes: All**

Mr. Cisek asked Mr. Sloan if removing the brick base would increase the sign size.

Mr. Sloan stated that he would look it up in the Sign Ordinance.

Ms. Welty stated that the base is partially covered by landscaping. She previously sat on the Sign Committee with the sign regulations were amended. Legibility and coloring were thoroughly discussed at these meetings. They discussed the traffic accidents that happen due to sign's letter size. She feels that legibility is very important.

Mr. Cisek states that it looks like they could increase the size of the letters on the sign.

Mr. Prymas said that what he may have to do is remove the grey background and go with an all-white face. He would suggest that this appeal be tabled until the next meeting so he can confirm with his client and tweak the design.

Mr. Cisek thinks that the ProMedica letters could be much bigger. He agrees with Ms. Welty that the small size of letters could cause accidents.

Mr. Sloan confirmed that if they can get the letters to the required size, they would not have to come back to the Zoning Board of Appeals. A sign permit would be issued if the sign complies with the Ordinance.

**Motion by John Badeen to table this agenda item to a future meeting.**

**Supported by Greg Greco. Ayes: All**

**Variance is tabled.**

2. Applicant, Dave Blendea, for property address 46803 Newton, located on the south side Newton Road between Beck and Canton Center Roads, Zoning R-2. Appealing Article 26.02 (b) Schedule of Regulations, lot depth in the R-1 and R-2 District shall be no greater than three times the lot width. Parcel ID 111-99-0002-704 (Planning)

David Blendea lives at 46725 Newton in Canton. He neighbor lives at the address of 46803 Newton. Mr. Blendea owns just under 10 acres. He stated that his property drops in a way that the only way to get to the back of his property is to go in between the garage and into the back yard. There is a hedge row that divides the properties. The first owner of the home built a garage. Mr. Blendea assumed that the dividing line was 25 – 30 feet between both houses. He found out later that the line is actually only 4 feet off of his garage. Mr. Blendea bought the house in 1999. They later realized that the what they always thought was the property line was incorrect, and he only had 4 feet behind the garage. Mr. Blendea would now like to purchase the property he has been maintaining for 21 years.

Mr. Sloan stated that the proposal is for the applicant to acquire some additional property on the western side of his property from the neighbor to the west. The applicant proposes to transfer the eastern 26.6-foot portion of the Western Parcel to his lot to the east at 46725 Newton Rd. (“Eastern Parcel;” parcel 71-111-99-0003-000). As a result, the depth-to-width ratio of the Western Parcel will be increased from 2.83 to 3.37, which is a variance of 0.37 from the maximum depth-to-width ratio of 3. The purpose of this land transfer is so the owner of the Eastern Parcel has additional area on the west side of his garage to access the rear (south) of his lot. The applicant cites the steep topography on the east side of the Eastern Parcel as a reason for the need for additional property on the west side of Eastern Parcel. The Eastern Parcel, which is proposed to acquire the eastern 26.6-foot portion of the Western Parcel, is located in the RA, Rural Agricultural zoning district, which allows a lot depth to be no greater than 4 times the lot width. The resulting land transfer will eliminate the following nonconformities on the Eastern Parcel:

**Lot Depth-to-Width Ratio.** The lot depth-to-width ratio of the Eastern Parcel is 4.13, which is greater than the maximum ratio of 4 permitted by the Zoning Ordinance. By acquiring 26.6 feet on the west side, the depth-to-width ratio of the Eastern Parcel will be reduced to 3.81 and will comply with the Zoning Ordinance.

**Side Yard Setback.** Currently, there is a garage on the west side of the Eastern Parcel that is approximately 3.6 feet from the west side lot line. The minimum side yard setback in the RA zoning district is 25 feet, so the garage on the Eastern Parcel is a nonconforming structure. By acquiring 26.6 feet on the west side, the side yard setback of the garage on the Eastern Parcel will be increased to 30.2 feet and will comply with the Zoning Ordinance.

Mr. Sloan continued to say that for a variance to be granted, the request must meet all of the standards of review of Section 27.05(D) of the Zoning Ordinance pursuant to the Michigan Zoning Enabling Act (P.A. 110 of 2006). Based on our review of the application, the requests meet the standards of Section 27.05(D), which include the following:

1. Based on application materials submitted, the Eastern Parcel (parcel 71-111-99-0003-000)

currently has a practical difficulty where vehicle access to the rear (south) of this parcel is restricted based on the narrow available area in the west side yard of the parcel and the steep topography on the east side of the parcel. This practical difficulty can be alleviated by transferring the eastern 26.6-foot portion of the Western Parcel (parcel 71-111-99-0002-704) to the neighboring lot to the east at 46725 Newton Rd. (parcel 71-111-99-0003-000), which would eliminate two (2) nonconformities on the Eastern Parcel: its depth-to-width ratio and its west side yard setback.

2. Granting the requested variance would do substantial justice to the Western Parcel and the Eastern Parcel, as the Eastern Parcel will eliminate its nonconforming depth-to-width ratio and its nonconforming side yard setback on the west side while gaining sufficient area on the west side of its site to access the rear side of the parcel. The proposed land transfer will not result in any additional parcels. If the variance is granted, the impact of the variance will be contained to the two (2) parcels subject to the proposed transfer and will not impact adjacent properties.
3. Because both subject parcels are designed to comply with all other requirements of the Zoning Ordinance, the requested variance can be granted in a manner that the spirit of the Ordinance will be observed and public safety and welfare secured.
4. The site topography on the east side of the Eastern Parcel (parcel 71-111-99-0003-000) creates exceptional or extraordinary circumstances or conditions applicable to the property involved and to the intended use of the property that do not apply generally to other properties or other similar uses in the same zoning district.
5. Based on the application and the plans submitted, the granting of the variance will not be materially detrimental to the public welfare or materially injurious to other nearby properties or improvements, will not increase the hazard of fire or flood or endanger public safety or health, will not alter the essential character of the neighborhood, will not impair the adequate supply of light and air to adjacent property or increase congestion on public streets, and is not expected to diminish or impair the value of surrounding properties.

Mr. Sloan said that because the standards of Section 27.05(D) of the Zoning Ordinance have been met, as noted above, the Township's recommendation is to approve the request for a variance from Section 26.02, footnote (b) of the Zoning Ordinance to increase the depth-to-width ratio of parcel 71-111-99-0002-704 to 3.37 as proposed in the application materials.

**Motion by Vicki Welty, supported by John Badeen, to open the Public Hearing. Ayes: All**

No other comments were made.

**Motion by Vicki Welty, supported by Greg Greco, to close the Public Hearing. Ayes: All**

Mr. Cisek noted that a letter was received by a neighbor, Robert Erdelen, 2769 N. Woods Blvd, who is in support of this variance request.

Mr. Cisek sees no issues with this request.

Mr. Badeen asked the applicant if there as a purchase agreement worked out with the neighbor.

It was stated that the property will be deeded for \$1.00.

**Motion by Vicki Welty** to approve the request from Section 26.02, footnote (b) of the Zoning Ordinance to increase the depth-to-width ratio of parcel 71-111-99-0002-704 to 3.37 as stated in the application because the variance request meets the standards of Section 27.05(D) of the Zoning Ordinance, which have already been sated in the analysis.

**Supported by Greg Greco. Ayes: All**

**Variance is granted.**

**Motion by John Badeen to adjourn meeting. Supported by Greg Greco. Ayes: All.**

Meeting adjourned at 7:26 pm

Alison Eisenbeis, Recording Secretary