

CHARTER TOWNSHIP OF MONITOR  
ZONING BOARD OF APPEALS  
JUNE 17, 2010

The meeting was called to order by J. Horen at 7:00 p.m.

Members present: J Horen, D Darland, W Sinke, T. Miller  
Members absent: J. Gwizdala  
Also present: J Krueger, Alternate Member

**Motion by Darland seconded by Krueger to adopt the agenda as presented.**

Motion carried.

Roll call:

Yes: Horen, Darland, Miller, Sinke, Krueger

No: None

Absent: Gwizdala

**Motion by Sinke seconded by Horen to approve the minutes of May 20, 2010.**

Motion carried.

**Public Input**

Public input was opened and closed at 7:04 p.m. with no one wishing to speak.

**New Business**

Thumb National Bank 09-100-012-400-120-01

Horen read the letter sent to surrounding property owners within 300' of Thumb National Bank who is requesting a variance for an Electronic Message Center Display.

Chairman Horen noted a letter of support from Donald W. Wackerly of 3930 2 Mile Rd. and a letter in opposition from the Bay County Road Commission.

Darland asked the applicant what "NITs" referenced. John Eggers from Sign Image explained that this is the volume that now replaces candlepower. There is a formula that equates candlepower and NITs and 15,000 would fit in with our 50 candlepower requirement. The signs they sell are self-dimming depending on the ambient light. Mr. Eggers explained the self-limiting, self-monitoring, non-intrusive nature of the requested sign. By analogy, he compared the halo of light given off by Meijer parking lot and gas station. Mr. Eggers distributed materials and made a case for the need to be competitive with other business corridors.

Krueger asked applicant, Mike LePage about other signs that Thumb National has in the area at that site. Mr. LePage said that they have difficulty having people identify who and what they are at that location. Darland asked about heights of letters and pictures. How does our ordinance consider pictures?

Mr. Eggers said that part of their request was also not to be limited to strictly two lines.

Darland asked if existing signs would be taken down Mr. LePage said that they would definitely take down the one that is on Wilder Rd. He didn't know if they would want to have one about the same size on 2 Mile Rd., but maybe changing the face of it, the color.

Darland said that his interpretation of the ordinance in 15.09, Signs in the C District, is that they would be allowed 48 sq. ft. of sign.

Mr. Eggers questioned the McDonald's sign which is 22 sq. ft. and changes every 3 seconds which is operating like Thumb National would like to do.

Horen explained a little of the history of the McDonald's sign on Mackinaw.

Miller cited studies done that do not support digital signs and he thinks they are a problem. Mr. Eggers feels that more letters would have been received from neighbors if that were true.

Mr. LePage said that their signage isn't working for them. People go by it and don't see it. Mr. LePage ultimately has to tell people that they are across from the Meijer gas station. Any sign that they put up will be tasteful, not flashy.

Darland thinks our ordinance is a little behind economic times when we say a change can be made only once every four (4) hours, however, that is something that the Planning Commission would have to change and they just looked at it a couple of years ago.

Darland read the hardship issues that must be met in order to permit a variance under 18.10 and doesn't feel that this request meets the requirements. The requirements for (b) could be problematic due to the safety concerns noted in the letter from Road Commission and the studies noted by Miller.

**Miller moved that given the applicant's inability to meet the hardship criteria under Ordinance 52, Sec. 18.10(a), (b) and (c); Section 15.06(g) regarding the changeable copy or message; and the letter of concern from the Bay County Road Commission, the applicant's request for a variance is denied. Darland supported.**

Roll call vote:

Yes: Horen, Darland, Miller, Sinke, Krueger

No: None

Absent: Gwizdala

**Motion carried to deny.**

Mr. LePage expressed his regret and thinks that the township is not very forward thinking.

### **Communication**

**Darland moved and Horen supported to accept Communications. Motion carried.**

The meeting was adjourned at 8:30 p.m.

Respectfully,

Terry Miller  
Secretary

TM:jw