

**VILLAGE OF FRANKLIN
SIGN BOARD OF APPEALS
ZONING BOARD OF APPEALS
REGULAR MEETING
Thursday, December 12, 2013 at 7:30 P.M.
At the Franklin Village Hall
32325 Franklin Road, Franklin, MI**

I. MEETING CALLED TO ORDER

The Regular Meeting of the Zoning/Sign Board of Appeals was called to order by Randy Brakeman, Chairman, at the Franklin Village Hall, Franklin, Michigan at 7:43 p.m.

II. ROLL CALL

Present: Randy Brakeman, Bill Couger, Sam Dabich, Fred Gallasch, Matthias Meyer, Dean Moenck, Harold Stein
Also Present: Eileen Pulker, Village Clerk; Amy Sullivan, Administrator

III. ADOPTION OF AGENDA

Motion by Moenck, supported by Gallasch, to adopt the Agenda for the December 12, 2013 Sign/Zoning Board of Appeals meeting as presented and published.

Ayes: Brakeman, Couger, Dabich, Gallasch, Meyer, Moenck, Stein

Nays: None

Motion carried.

Brakeman explained the normal procedures for the Zoning/Sign Board of Appeals.

IV. UNFINISHED BUSINESS

A. Release of Case: #13-05
Appellant: Beverly Neumann
Property: 25850 Romany Way
Parcel: TF 24 06 280 016
Zoning: RL

Sullivan explained that the Fence Application for the above captioned property, had been subsequently surveyed and it was found that the fence location would be within the Village Road Right-of-Way, and as such, would require Village Council approval, and a variance would no longer be necessary.

Motion by Moenck, seconded by Meyer to release the Case # 13-05, as the variance is no longer required, now that the determination has been made that the fence is located in the road Right-of-Way.

Ayes: Brakeman, Couger, Dabich, Gallasch, Meyer, Moenck, Stein

Nays: None

Motion carried.

V. NEW BUSINESS

A. Case #13-06
Appellant: Village of Franklin
Property: Franklin Community Association (FCA) Property

Parcel Id: TF 24 06 252 010

Zoning: R-1

Description of Request:

To allow for Temporary Off-Premise Signs for the Franklin Community Association (FCA) Ice Rink, sponsored by the Farmhouse Coffee and Ice Cream, subject to the following:

1. Franklin village Ordinances 1474.11 (m) Prohibited Sign, states in part that "The following signs are prohibited: ... (m) Off-Premise advertising signs and billboards..." The appellant is requesting that signs be placed at the FCA Ice Skating Rink that is being sponsored by the Farmhouse Coffee and Ice Cream and that the business name will be listed on the sign, requiring the signs to be appealed and approved by the Sign Board of Appeals.

Sullivan explained that the Village's Insurance carrier requires that safety rules be posted at the site of the ice skating rink and that, as had been provided previously, the sign will also indicate that the ice skating rink is being sponsored by the Farmhouse Coffee and Ice Cream, which requires a variance.

Discussion ensued regarding the previous approval and the ability to extend the approval into the future so that the approval would not need to be sought each year for the exact same sign on the exact same location. Sullivan advised that Bill Dinnan the Village Building Official had stated that the approval could be granted for the variance for many years as long as the conditions for the sign remain the same.

Public Comments:

Two (2) emails were received in support of the ice rink and the necessary signage:

1. Eileen and Daan Harryvan
2. Jane Polan

The Sign Board of Appeals made the following Findings of Facts with respect to requesting a sign variance for the FCA Ice Rink, for which the signs will be Off-Premise:

1. The Franklin Community Association has approved the location of the ice rink and signs on their property, which is flatter than the previous location for the ice rink.
2. Village insurance requires that rules be posted.
3. The Village paid for the original sign.
4. The sign will be temporary in nature and seasonal to be used only in conjunction with the Ice Rink.
5. Two (2) positive comments, no negative comments, were received.
6. The donor's name and advertisement takes up 1/4 or less of the total sign area.
7. The variance request is for the location of the sign, i.e. off-premise, or next to the skating rink, in conjunction with the "Rules of Use" sign.
8. The sign conforms in every way with the Sign Ordinance, except the location.
9. The Historic District Commission has previously approved the sign.
10. The Ice Rink has been well received in years past.

Motion by Stein, seconded by Meyer, that each member of the Sign Board of Appeals, using the approved Findings of Fact, consider the facts, and if he believes the facts warrant approval of the sign variance, he should vote "Aye" and if he does not believe the facts support the variance, he should vote "Nay".

Ayes: Brakeman, Couger, Dabich, Gallasch, Meyer, Moenck, Stein

Nays: None

Motion carried.

Motion by Brakeman, seconded by Meyer, that each member of the Sign Board of Appeals, using the approved Findings of Fact, consider the facts, and if he believes the facts warrant approval of the sign variance he should vote "Aye" and if he does not believe the facts support the variance, he should vote "Nay". If this variance is approved it will be subject to being only in effect when the rink is operational and being used and the approval will continue year after year as long as the sign and location remain the same.

VI. APPROVAL OF MINUTES: September 30, 2013

Motion by Gallasch, seconded by Moenck, to approve the minutes of September 30, 2013 ZBA meeting.

Ayes: Brakeman, Couger, Dabich, Gallasch, Meyer, Moenck, Stein

Nays: None

Motion carried.

IV. ADJOURNMENT

There being no further business, by unanimous agreement, the meeting was adjourned at 7:55 P.M.

Respectfully submitted,

Eileen H. Pulker, Clerk