

CHARTER TOWNSHIP OF MONITOR  
ZONING BOARD OF APPEALS

January 17, 2019

*As Corrected February 21, 2019\**

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

Members present: J. Horen, D. Darland, J. Krueger, Amy Lyday (Alternate)

Members absent: G. Brandt, W. Sinke

Others absent:

Also in Attendance: *K. Dagher and H. Harajli*

The pledge of allegiance was recited by all present.

**Motion by D. Darland, seconded by J. Horen to adopt the agenda as presented.**

Motion carried.

**Motion by J. Kruger, seconded by D. Darland to approve the minutes of April 19, 2018 regular meeting as corrected: Page two (2) “bank” replaced to “back”**

Motion carried.

Election of Officers

Nominations were opened for Chair, Vice-Chair and Secretary.

**Motion by D. Darland, seconded by A. Lyday to re-elect the same, previous slate of officers: J. Horen as Chair, W. Sinke as Vice-Chair and J. Krueger as Secretary by unanimous vote.**

Nominations closed. The officers elected who were present accepted their respective offices and thereafter J. Horen presided at the meeting as Chairman, and J. Krueger acted as Secretary of the meeting.

**Public Input**

Public input was opened and closed 7:05 pm with no one present from the public wishing to speak.

**Items for Consideration**

*J. Horen* read aloud the letter that was sent out to *residents* in regard to the Excel Auto Sales/Dagher Signs & Graphics-requesting a variance for height and square footage. The square footage requested is 18 square feet not 15 square feet as it was read in the letter.

J. Horen advised H. Harajli that because two (2) members of the board were absent, they would have the opportunity to table this appeal into the next Zoning and Appeals meeting.

H. Harajli declined to table the appeal.

D. Darland advised that a tie vote is an automatic denial.

J. Horen explained again, that H. Harajli still has the option to table the request.

K. Dagher and H. Harajli stated they would take their chances with the Board.

J. Krueger reviewed the Excel Auto Sales variance request of five and a half (5 ½) feet in height and 18 square feet size variance.

D. Darland stated that when he visited Excel Auto Sales, setbacks were mentioned. However, setbacks were not mentioned in the variance. He reported that setbacks would not be addressed at this meeting. Height and square footage will be the two variances addressed.

D. Darland went on to detail sign setbacks. He stated setbacks equal the height of the sign so if it falls it will not fall on the adjoining property. The Excel location has 120 foot right of way. He suggested that H. Haraili look for survey stakes to find the exact property line. For sign placement, it has to be 60 feet from the center of the right of way, plus the height of the sign.

H. Haraili remarked that the Township Zoning Official told him the setback was 50 feet.

D. Darland referred to the Township Plat maps that show right of way is 60 feet.

H. Haraili informed the Zoning Board that the Township Official and himself, measured the road.

H. Haraili asked for a different meeting so the sign setback could be addressed.

D. Darland responded that it would have to be a whole new appeal. He advised that this appeal is for size and height.

H. Haraili decided to move forward with the current appeal of size and height. He will file another appeal for the setback for February 21, 2019 Zoning Board of Appeals meeting.

**Motion by D. Darland supported by J. Horen to approved that the bottom of the sign face should be 8 feet above existing grade for the following reason:**

18.10(a) The commercial lot is shallow, irregular shape and the adjacent building structure location.

18.10(b) Safety, vehicles leaving the parcel into a state highway would be jeopardized with a sign having its base less than eight (8) feet high.

18.10(c) The state highway with speed limit at 50 mph the line of sight being affected by topography, makes this parcel unique and not an ordinary situation to be considered a general condition in the township.

Roll Call Vote:

**Yes: J. Krueger, A. Lyday, D. Darland, J. Horen**

No: None

Absent: G. Brandt, W. Sinke

**Motion carried.**

J. Horen addressed the sign size variance request of an additional 18 square feet added to the existing ordinance of 32 square feet. (Section 15.08)

D. Darland stated he could not find any justification to grant the 18 square feet variance under 18.10.

K. Dagher replied that the visibility is an issue due to the negative line of sight from the adjacent buildings and trees. He added that additional square feet is needed for spacing around the words for readability, smaller sign could be used but it would not be readable.

D. Darland added that all three ordinances, 18.10 A, B and C would have to be met in order to grant the *variance*.

J. Krueger agreed with D. Darland.

H. Harajli commented that size was needed to make the words bigger.

**Motion by D. Darland supported by J. Horen to deny the request for an additional 18 square feet variance to sign size. Sign in this situation does not meet any of section 18.10 requirements.**

Roll call vote:

**Yes: D. Darland, J. Horen, J. Krueger, A. Lyday**

No: None

Absent: G. Brandt, W. Sinke

**Motion Carried**

### **Communications**

**J. Krueger acknowledge receipt of Communications.**

**Motion by Horen supported by D. Darland to adjourn.**

**Motion carried.**

Meeting was adjourned at 8:06 p.m.

Respectfully submitted,

Joy Krueger  
Secretary

JK/djp