

**VILLAGE OF FRANKLIN
SIGN BOARD OF APPEALS
ZONING BOARD OF APPEALS
Thursday, January 20, 2011 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 Sign Board of Appeals and Zoning Board of Appeals was called to order by J. Hailey, Chairman, at the Franklin Village Hall, Franklin, Michigan at 7:30 p.m.

II. ROLL CALL

Present: Bill Couger, Sam Dabich, J. Hailey, Randy Brakeman, Dean Moenck
Absent: Harold Stein (excused), George Haddad (excused)
Also Present: Amy Sullivan, Village Administrator; Eileen Pulker, Village Clerk; Bill Dinnan, Building Official

III. ADOPTION OF AGENDA

Motion by Brakeman, supported by Dabich to approve the Agenda as presented and published.

**Ayes: Couger, Dabich, Hailey, Brakeman, Moenck
Nays: None
Absent: Stein, Haddad**

III. NEW BUSINESS

- A. Case: #11-01
Appellant: Village of Franklin
Property: Village Green Ice Rink
Parcel ID: TF 24 06 253 157 thru TF 24 06 253 168
Zoning: R-1
Description of Proposed Request:**

1. Franklin Village Ordinance, 1474.11 (o) prohibited Signs, states in part that "The following signs are prohibited:... (o) Off-premise advertising signs and billboards... "

Building Official Bill Dinnan presented the case to the Sign Board of Appeals/Zoning Board of Appeals. The applicant is requesting that a sign be placed at the Village Ice Skating Rink which is being sponsored by the Farmhouse Coffee and Ice Cream House and that the business name be listed on the sign, for which a variance is requested.

The Ice Rink, pursuant to the Village Insurance policy, requires that a list of rules and guidelines be placed at the rink. The owners of Farmhouse Coffee and Ice Cream House donated the materials and labor to build the rink. The Village paid for the sign and the business owner provided the frame. However, because the name of the Farmhouse is on the sign it is considered an off-premise advertising.

During the discussion it was established that, because the rink and sign are on Village property, the Council has given temporary permission, and the Historic District Commission (HDC) has approved them. The actual size and relative portion of the advertisement to the entire sign area was discussed. Dinnan said that it would be a fair statement to say that ¼ of the total sign area is advertising and is the

portion for which the applicant is requesting a variance. The remaining area states that it is the Village of Franklin Ice Rink, the rules and regulations, and the hours of operation and does not require a variance.

Public Comments:

There were no public comments but the Village did receive two (2) letters in favor of the Ice Rink sign.

The Sign Board of Appeals/Zoning Board of Appeals made the following Findings of Facts with respect to requesting a sign variance for the Franklin Ice Rink which is on Village property:

1. The Village Council approved the request for the Ice Rink sign on Village property.
2. The Village Council approved the Ice Rink and its location.
3. Village Insurance requires that rules be posted.
4. The Village paid for the sign.
5. The sign will be temporary in nature and seasonal and used only in conjunction with the Ice Rink.
6. Two (2) positive comments, no negative comments, were received.
7. The donor's name and advertisement takes up ¼ or less of the total sign area.
8. 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.
9. The sign conforms in every way with the Sign Ordinance, except the location.
10. The Ice Rink and sign are located on the Village Green.
11. The HDC has reviewed and approved the sign.

Motion: Motion by Hailey, seconded by Dabich, that the Board members consider the proposed Findings of Fact, and if you believe a decision regarding this variance request should be made using the above Findings of Fact indicate this by saying "aye" and if you do not believe that the proposed Findings of Fact are appropriate for making a decision you should vote "nay".

Ayes: Couger, Dabich, Hailey, Brakeman

Nays: None

Absent: Stein, Haddad

Motion carried.

Motion by Hailey, seconded by Brakeman, that each member of the Sign Board of Appeals/Zoning Board of Appeals, using the approved Finds of Fact, consider the facts, and if he believes the facts warrant approval of the temporary 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 on the Village Green.

There was a discussion as to whether this would be a yearly renewal. It must be renewed if the rink and signage are to be used next year.

Ayes: Couger, Dabich, Hailey, Brakeman

Nays: Moenck

Absent: Stein, Haddad

Motion carried.

IV. APPROVAL OF MINUTES: October 21, 2010

Motion: Motion by Moenck, seconded by Couger, to approve the minutes of October 21, 2010 as provided.

Ayes: Couger, Dabich, Hailey, Brakeman, Moenck

Nays: None

Absent: Stein, Haddad

Motion carried.

V. DISCUSSION

Dinnan updated the Board concerning the status of a sign violation ticket/civil infraction ticket which he had recently issued.

VI. ADJOURNMENT

Motion: Motion by Brakeman to adjourn the meeting at 8:07 P.M.

Ayes: Couger, Dabich, Hailey, Brakeman, Moenck

Nays: None

Absent: Stein, Haddad

Motion carried.

Respectfully submitted,

Gail Beke