

**City of Rochester Hills
Department of Planning**

**STAFF REPORT TO THE SIGN BOARD OF APPEALS
May 6, 2008**

2050 S. Rochester Road Changeable/Electronic Message Sign	
APPLICANT	Allied Signs, Inc. 33650 Giftos Clinton Township, Michigan 48035
LOCATION OF PROPOSED SIGN	Hamlin Road entrance to the property (Walgreens)
SIDWELL	15-27-226-025
FILE NO.	97-046
ZONING	B-2 (General Business)
STAFF	Derek Delacourt, Deputy Director
REQUEST	One (1) additional changeable or electronic message sign

SITE DESCRIPTION

2050 S. Rochester Road is located at the southwest corner of Hamlin and Rochester Roads, adjacent to the gas station located at the immediate southwest corner, and is further identified as Walgreens, Parcel Identification Number 15-27-226-005, zoned B-2 (General Business).

The parcel at the immediate southwest corner of Rochester and Hamlin Roads (gas station) is zoned B-5 (Automotive Business). The properties to the north (across Hamlin Road) and to the east (across Rochester Road) are zoned B-3 (Shopping Center Business). The properties along the western boundary of the site are zoned R-1 (One Family Residential), as are the parcels to the south (directly across Boyken Road).

SUMMARY

The applicant is requesting to be allowed to replace an existing manual readerboard on the monument sign located at the Hamlin Road entrance with an electronic message unit. The existing monument sign would be reconfigured to accommodate the message unit. The applicant has submitted a rendering of the proposed monument sign depicting the electronic message unit.

Footnote O of Section 134-181 (Standards), regarding *General Commercial Premises*, states:

- (o) Changeable or electronic message sign when mounted on the same monument structure as the premises identification sign and further limited to one per premises. Electronic message signs shall have the letters and images of uniform color on a black background where the words, letters or pictures are not in motion and are not changed more often than every ten seconds.

Currently, the business has one electronic message unit on the monument sign located at the Rochester Road entrance to the premises.

On March 11, 2008, the City's Building Department denied the applicant's request for an additional electronic message sign for the existing sign located at the Hamlin Road entranceway based on Footnote O of Section 134-181 (Standards), which limits electronic message signs to one (1) per premises. An electronic message unit sign for the Walgreens business is located adjacent to the Rochester Road entranceway for the business.

REQUESTED ITEM

One (1) additional electronic message sign, which would replace the existing manual readerboard sign located at the Hamlin Road entranceway to the business.

The applicant believes that the proposed electronic message sign would be more harmonious with the subject property because it would increase the desirability and aesthetic design of the site. The applicant also notes that the use of the electronic message unit would allow more active participation in the Amber Alert system for traffic travelling on Hamlin Road.

ANALYSIS

1. Section 134-181 (Standards), Footnote O, of the City's Sign Ordinance limits electronic message signs to one (1) per premises.
2. The Walgreens store is situated on a somewhat L-shaped parcel, with about 300 feet of frontage on Rochester Road, and about 100 feet of frontage on Hamlin Road. The property is flat, and wraps around the gas station located at the immediate southwest corner of Rochester and Hamlin Roads.
3. The existing monument signs located on the premises currently meet all Ordinance requirements.
4. Section 134-41 (Variances) of Chapter 134 (Signs) of the City's Code of Ordinances states:

(a) *Findings of fact.* A variance to this chapter may be allowed by the sign board of appeals only in cases when competent, material and substantive evidence in the official record of the appeal supports all the following affirmative findings:

- (1) *Special conditions.* That special conditions or circumstances exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district.
 - (2) *Deprivation of rights.* That literal interpretation or application of the provision of this chapter would deprive the applicant of property rights commonly enjoyed by other properties in the same district under the terms of this chapter.
 - (3) *Substantial justice.* Allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual difficulties that will be suffered by a failure of the sign board to grant a variance, and the rights of others whose property would be affected by the allowance of the variance, and will not be contrary to the public purpose and general intent and purpose of this chapter.
5. The applicant currently has two (2) permitted monument signs on the site, one of which contains an electronic message sign (Rochester Road monument sign). As they currently exist, both signs meet all Ordinance requirements.
 6. If an additional electronic message sign is permitted, the applicant shall be required to receive a permit from the City's Building Department prior to installation of the requested sign.

Attachments: Location Map
Application
03-11-08 Building Department Denial Letter

SAMPLE MOTION:

(to be modified by the Board based on discussion held during the meeting)

MOTION in the matter of File No. 97-046, that a request for one additional electronic message sign pursuant to Section 134-181, Footnote O, of the Code of Ordinances **BE GRANTED / DENIED** for the Walgreens located at 2050 S. Rochester Road, PIN 15-27-226-025, with the following Findings and Conditions: [conditions only applicable if variance granted]

Findings:

1. A special condition or circumstance exists for this applicant in that the property the sign advertises fronts upon two (2) heavily travelled major thoroughfares (Rochester Road and Hamlin Road). However, the sign on Hamlin Road is not readily visible to traffic travelling on Rochester Road, and conversely, the sign located on Rochester Road is not readily visible to traffic on Hamlin Road, because of the location of the service station at the immediate southwest corner.

OR: No special condition or circumstance exists for this applicant that are peculiar to the business involved that are not also applicable to other buildings or businesses in the same district.

2. Strict application of the provisions of this chapter would deprive the applicant of property rights commonly enjoyed by other properties in the same district.

OR: Strict application of the provisions of this chapter **would not** deprive the applicant of property rights commonly enjoyed by other properties in the same district.

3. Substantial justice will be done by allowing this approval. This approval will not be contrary to the public purpose and the general intent of the Sign Ordinance. Specifically, the sign will not endanger the public in terms of location and will assist the public in finding the business, and help minimize traffic problems at that particular location.

OR: Substantial justice **will not** be done by allowing this approval. Approval would be contrary to the public purpose and the general intent of the Sign Ordinance.

Conditions: *[only necessary if approval granted]*

1. The sign must be permitted through the City's Building Department and must meet all applicable Ordinance requirements.