

These minutes are subject to formal approval by the Wyoming Zoning Board of Appeals at their regular meeting on September 2, 2014.

MINUTES OF THE WYOMING BOARD OF ZONING APPEALS  
HELD AT WYOMING CITY HALL

July 21, 2014

The meeting was called to order at 1:30 P.M. by Chairman VanderSluis.

Members present:    Beduhn            Burrill            Dykhouse        Lomonaco  
                                 Postema            VandenBerg    VanderSluis

Member absent:        Palmer

A motion was made by Lomonaco and seconded by Dykhouse to excuse Palmer.

Motion carried:        6 Yeas            0 Nays

Other official present:        Tim Cochran, City Planner

A motion was made by Postema, and seconded by Burrill to approve the minutes of the June 16, 2014 Board of Zoning Appeals meeting.

Motion carried:        6 Yeas            0 Nays

PUBLIC HEARING:

Appeal #V140022                    P.P. #41-17-02-255-028  
City Sign Erectors  
1115 Chicago Dr. S.W.  
Zoned B-1

The application requesting a variance from the City of Wyoming Zoning Code was read by Secretary Lomonaco as follows:

Zoning Code Section 90-799 Primary Sign Requirements – Nonresidential Districts limits commercial buildings to one identification sign per wall. The petitioner intends on erecting a 14 square foot identification sign on two building walls. They requested a variance to erect an additional wall sign of 32.8 square feet on the two separate walls.

Chairman VanderSluis opened the public hearing.

Tracy Rodgers, City Sign Erectors, said her copy does a considerable amount of work for McDonald's. McDonalds' new buildings are a lot different than their old style. Without signage it is not immediately apparent that they are a McDonald's restaurant. Currently they have elected to use their trademark arches on the building, but they would like to add the word "McDonald's" on two walls. The overall square footage of the sign would be 32.8 square feet.

There being no further remarks, Chairman VanderSluis closed the public hearing.

Tim Cochran explained the Zoning Board had granted the same variance request for the McDonald’s location on Byron Center south of 56<sup>th</sup> Street. He elaborated that this development has been greatly discussed from conception, through planning, requests for site plan variances, and now the business is open for business but is requesting the additional signage. The total signage requested will be under the 15% wall sign permitted by code. If the new words could be placed in proximity to the arches, they could be considered as one sign and would not have required a variance.

A motion was made by Beduhn and seconded by Lomonaco that the request for a variance in application no. V140022 be granted, accepting staff’s Finding of Facts.

1. That there are exceptional or extraordinary circumstances or conditions applicable to the property or to the intended use that do not apply generally to other property or class of use in the same vicinity and district because the petitioners will be erecting a 14 square foot McDonald’s arch logo on the west and east walls. They desire to erect an additional 32.8 square foot “McDonald’s” sign on those two walls. The total signage area would be 46.8 square feet. The overall signage is modest in size and is substantially less than the 15% wall signage permitted for each wall. The McDonald’s name and arch logo are commonly associated together with this restaurants branding.
2. That such variance is necessary for the preservation and enjoyment of substantial property rights because the proposed signage combining the McDonald’s name with their arch logo is typical for this corporation throughout the world.
3. That the granting of such variance will not diminish the marketable value of adjacent land and improvements, or unduly increase congestion in the public streets because impacts on adjoining properties and congestion in the public streets are not factors in this signage request.
4. That the condition or situation of a specific piece of property, or the intended use of said property, for which the variance is sought is not of so general or recurrent a nature as to make reasonably practicable the formulation of a general regulation for such condition or situation because there is proprietary branding by this corporation which incorporates the name with logo. This is an unusual situation and is not so recurrent as to make practicable the formulation of a general regulation.

Motion carried:           6 Yeas           0 Nays (Resolution #5566)

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There were no public comments at the meeting.

ELECTION OF OFFICERS:

A motion was made by Burrill and seconded by Lomonaco to elect VanderSluis as Chairman of the Zoning Board of Appeals.

Motion carried:           6 Yeas           0 Nays

A motion was made by Burrill and seconded by Lomonaco to elect Palmer as Vice Chairman of the Zoning Board of Appeals.

Motion carried:       6 Yeas       0 Nays

A motion was made by Burrill and seconded by Lomonaco to elect Lomonaco as Secretary of the Zoning Board of Appeals.

Motion carried:       6 Yeas       0 Nays

There were no new business items to discuss.

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Canda Lomonaco  
Secretary

CL:cb