

**BIRMINGHAM HISTORIC DISTRICT COMMISSION**  
**MINUTES OF NOVEMBER 7, 2018**  
Municipal Building Commission Room  
151 Martin, Birmingham, Michigan

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Minutes of the regular meeting of the Historic District Commission (“HDC”) held Wednesday, November 7, 2018. Vice-Chairman Keith Deyer called the meeting to order at 7 p.m.

**1) ROLL CALL**

**Present:** Vice-Chairman Keith Deyer, Board Members Doug Burley, Michael Willoughby Alternate Member Kevin Filthaut,

**Absent:** Chairman John Henke; Board Member Natalia Dukas; Alternate Board Member Dulce Fuller; Student representatives Grace Donati, Ava Wells

**Administration:** Matthew Baka, Sr. Planner  
Carole Salutes, Recording Secretary

**11-45-18**

**2) APPROVAL OF MINUTES**  
**HDC Minutes of October 3, 2018**

**Motion by Mr. Willoughby**

**Seconded by Mr. Burley to approve the HDC minutes of October 3, 2018 as presented.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Willoughby Burley, Deyer, Filthaut

Nays: None

Absent: Dukas, Henke, Fuller

**11-46-18**

**HDC Minutes of October 17, 2018**

**Motion by Mr. Willoughby**

**Seconded by Mr. Burley to approve the HDC minutes of October 17, 2018 as presented.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Willoughby Burley, Deyer, Filthaut

Nays: None

Absent: Dukas, Henke, Fuller

**11-47-18**

### **3) PUBLIC HEARING**

#### **Sign Ordinance Amendment - Elimination of overlay sign standards and addition of window signage standards**

The public hearing opened at 7:05 p.m.

##### *Overlay Sign Standards*

Mr. Baka provided background information. The City of Birmingham has two sets of standards that are used to regulate signage throughout the City. There is the Standard Sign Ordinance which governs most of the City, and there is the Overlay Sign Ordinance which regulates signage on buildings that were constructed under the Downtown Overlay development standards.

The amount of signage permitted by the Standard Sign Ordinance provisions is based on the amount of building frontage. The width of the building determines the amount of square footage that can be used for signage. The allowable signage can be divided among any of the building tenants regardless of which floor they are located on, provided that they meet all other provisions of the Sign Ordinance.

In contrast to the Standard Sign Ordinance, the Overlay Sign Regulations do not limit the amount of signage or number of signs. Instead the number of signs permitted is dictated by the number of entrances and only tenants whose primary square footage is located on the first floor may have a sign. In addition to the differing restrictions listed above, there are also subtle differences between the two ordinances which make interpretation confusing for business owners and sign companies.

##### **Issue:**

Overlay: Over the past year the Board of Zoning Appeals has heard several variance requests for exceptions from the Overlay Signage Standards. The primary cause of these requests has resulted from the difference between what is permitted by the Standard Sign Ordinance and the Overlay Sign Ordinance.

The two provisions of the Overlay Sign Ordinance that have initiated the majority of the variance requests are the following:

- The number of signs permitted determined by the number of entrances;
- Signage for upper floor commercial tenants is prohibited.

The commercial tenants on the upper floors of buildings developed under the Overlay are not currently permitted signage as they otherwise would be if they were located in a building governed by the Standard Ordinance. In addition, the limitation of one sign per entry does not take into consideration businesses that occupy a corner space.

**Discussion:**

Overlay: The Standard Sign Ordinance regulates signage by the size and location of the building and allows tenants/property owners to divide the allowable signage between tenants as they see fit. The successful variance requests that have been heard recently have argued that it is a hardship for the signage options to be limited in ways that are afforded to the majority of properties in the City.

On June 18, 2018 at the City Commission/Planning Board joint meeting the City Commission and Planning Board discussed this issue. There was consensus that the Sign Ordinance should be studied and amended as deemed appropriate.

*Window Signage*

Window signage in the City of Birmingham is currently limited to 12 sq. ft. per linear frontage or 18 sq. ft. per linear frontage on Woodward Ave.

The window signage throughout town is inconsistent and often exceeds the allowable amounts permitted by ordinance. While Code Enforcement is sent out periodically to cite specific complaints and the Planning Division sends out literature to all businesses in town on a regular basis, the problem persists.

On June 18, 2018 at the joint meeting the City Commission and Planning Board discussed the issue of window signage. There was consensus at that time that the Sign Ordinance should be studied and amended as deemed appropriate.

On October 3, 2018 the HDC set a public hearing date for November 7, 2018.

**Motion by Mr. Willoughby**

**Seconded by Mr. Filthaut to recommend APPROVAL to the City Commission of the proposed amendments to the Birmingham Sign Ordinance eliminating the Overlay Signage Standards and adding regulations regarding the application and maintenance of window signage.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Willoughby, Filthaut, Burley, Deyer

Nays: None

Absent: Dukas, Fuller, Henke

The public hearing closed at 7:08 p.m.

**11-48-18**

**4) HISTORIC DESIGN REVIEW**

**539 S. Bates**

**United Presbyterian Parsonage** (postponed from the meeting of October 17, 2018 and requested by the applicant to further postpone)

**Motion by Mr. Willoughby**

**Seconded by Mr. Filthaut to POSTPONE the Historic Design Review for 539 S. Bates, United Presbyterian Parsonage to December 5, 2018.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Willoughby, Filthaut, Burley, Deyer

Nays: None

Absent: Dukas, Fuller, Henke

**11-49-18**

**361 E. Maple Rd.**

**Hawthorne Building**

Applicant has requested postponement to reconsider their plans.

Mr. Baka noted the plans presented do not meet the recommendations of the National Park Service. The applicant is basically eliminating the historic storefront and adding four stories without stepping back from the facade of the historic resource.

Vice Chairman Deyer thought the roof-top terrace is out of character and makes the building taller than its neighbors. He further commented that once you start tearing things down, it's hard to stop tearing down. Then the whole issue of historic preservation goes out the window.

**Motion by Mr. Filthaut**

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**Seconded by Mr. Burley to POSTPONE the Historic Design Review for 361 E. Maple Rd., Hawthorne Building, to December 5, 2018.**

**Motion carried, 4-0.**

VOICE VOTE

Yeas: Filthaut, Burley, Deyer, Willoughby

Nays: None

Absent: Dukas, Fuller, Henke

**5) STUDY SESSION** (no discussion)

**11-50-18**

**6) MISCELLANEOUS BUSINESS AND COMMUNICATIONS**

**A. Staff Reports**

-- Administrative Approvals

- 166 W. Maple Rd.- Adding "a" above the front door and a blade sign west of entrance.
  - Small cube type sign with characters on the sign;
  - Small blade sign with "Caruso Caruso" on the face.
- 205 E. Maple Rd. - Exterior painting.
- 211 W. Brown - Replacing flat roofs with TPO, tear off and re-roof shingled roofs with no change in color.
- 286 W. Maple Rd., Kybun Joya - Internally illuminated wall sign with routed face and push-thru acrylic letters with opaque faces. Light to project through the sides of each letter.
- 539 Bates - Change to exposed aggregate; minor dimensional revisions

-- Violation Notices (none)

-- Demolition Applications

- 1743 Derby
- 1066 Chapin
- 2113 Yorkshire
- 1636 Derby

➤ 1773 Washington

**B. Communications**

-- Commissioners' Comments

**11-51-18**

**ADJOURNMENT**

No further business being evident, the Commissioners motioned to adjourn the meeting at 7:10 p.m.

Matthew Baka  
Sr. Planner