

BIRMINGHAM HISTORIC DISTRICT COMMISSION
MINUTES OF OCTOBER 3, 2018
Municipal Building Commission Room
151 Martin, Birmingham, Michigan

Minutes of the regular meeting of the Historic District Commission (“HDC”) held Wednesday, October 3, 2018. Chairman John Henke called the meeting to order at 7 p.m.

Present: Chairman John Henke; Board Members Doug Burley (arrived at 7:15 p.m.), Vice-Chairman Keith Deyer, Michael Willoughby; Alternate Board Member Kevin Filthaut

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

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

10-36-18

APPROVAL OF MINUTES
HDC Minutes of September 5, 2018

Motion by Mr. Willoughby
Seconded by Mr. Deyer to approve the Minutes of the Historic District Committee meeting of September 5, 2018 as presented.

Motion carried, 4-0.

VOICE VOTE
Yeas: Willoughby, Deyer, Filthaut, Henke
Nays: None
Absent: Burley, Dukas, Fuller

10-37-18

STUDY SESSION
Overlay Signage 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.

Standard Sign Ordinance

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.

Overlay Sign Standards

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.

Staff has provided draft ordinance language that would add regulations regarding the application and maintenance of window signs.

Mr. Deyer said he has noticed that businesses outside of Birmingham have been adding perimeter lighting around their windows. In effect, they are trying to create additional signage. Mr. Baka responded that Birmingham has always enforced that as not being permitted.

Discussion brought out that eliminating the Overlay Signage Standards helps the business owners that are under the Overlay. The Standard Sign Ordinance is much more flexible

Motion by Mr. Deyer

Seconded by Mr. Filthaut to set a public hearing of November 7, 2018 to consider amendments to the Birmingham Sign Ordinance eliminating the Overlay Signage Standards and adding regulations regarding the application and maintenance of Window Signage.

Motion carried, 5-0.

Yeas: Deyer, Filthaut, Burley, Henke, Willoughby

Nays: None

Absent: Dukas, Fuller

10-38-18

MISCELLANEOUS BUSINESS AND COMMUNICATIONS

A. Staff Reports

- Administrative Approvals (none)
- Violation Notices (none)
- Demolition Applications (none)

B. Communications

- Commissioners' Comments (none)

10-39-18

ADJOURNMENT

No further business being evident, the Commissioners motioned to adjourn the meeting at 7:15 p.m.

Matthew Baka
Sr. Planner