



COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals ZONING BOARD APPEALS DATE: April 12, 2016

REGARDING: Michigan Beer Company (PZ16-0003), 42875 Grand River Ave, Suite 104
BY: Charles Boulard, Building Official

I. GENERAL INFORMATION:

Applicant
Dan Linnen, Rojo Six dba Michigan Beer Company

Variance Type
Sign Variance

Property Characteristics
Zoning District: TC-1, Town Center 1 District
Parcel #: 50-22-23-176-011

Request
The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES; 28-5(2)f.2 and 28-5(2)f.2a and b to allow installation of a new projecting oversized sign (allowed only for upper level businesses), of 60 square feet (15 square feet allowed), with a projection of 54" on the west elevation with less than 12 feet above grade. The proposed sign is for a first floor business. The property is located east of Novi Road and south of Grand River Avenue.

II. STAFF COMMENTS:

Proposed Changes
The applicant is requesting approval to install a new sign for a new business in the Main Street area. A previous business locate in the first floor suite had a large projecting sign approved and installed under a former edition of the Sign Ordinance. This sign was removed when the former tenant ended operations. A wall sign is allowed by right. The business occupies much of the first floor of this portion of the building and includes a significant outdoor business area as well.

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

- I move that we **grant** the variance in Case No. **PZ16-0003**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

- (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because_____.
- (b) The property is unique because_____.
- (c) Petitioner did not create the condition because_____.
- (d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because_____.
- (e) The relief if consistent with the spirit and intent of the ordinance because_____.
- (f) The variance granted is subject to:
 - 1. _____.
 - 2. _____.
 - 3. _____.
 - 4. _____.

2. I move that we **deny** the variance in Case No. **PZ16-0003**, sought by _____, for _____ because Petitioner has not shown practical difficulty requiring _____.

- (a) The circumstances and features of the property including _____ are not unique because they exist generally throughout the City.
- (b) The circumstances and features of the property relating to the variance request are self-created because_____.
- (c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioners statements that _____.
- (d) The variance would result in interference with the adjacent and surrounding properties by_____.
- (e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to_____.

Zoning Board Of Appeals

Michigan Beer Company

Case # PZ16-0003

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Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0423.

Charles Boulard

Building Official

City of Novi



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 Novi, MI 48375
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ZONING BOARD OF APPEALS APPLICATION

RECEIVED

FEB 02 2016

CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: <u>\$300.00</u>	
PROJECT NAME / SUBDIVISION <u>MICHIGAN BEER COMPANY</u>				Meeting Date: <u>2-2-16</u>	
ADDRESS <u>42875 GRAND RIVER AVE</u>		LOT/SUITE/SPACE # <u>104</u>		ZBA Case #: <u>PZ 16-0003</u>	
SIDWELL # <u>50-22-23-176-011</u>		May be obtained from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY <u>NOVI/GRAND RIVER</u>					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO			REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS <u>LINNE@GADL.COM</u>		CELL PHONE NO. <u>248-891-8702</u>	
NAME <u>ROJO SIX LLC DBA MICHIGAN BEER COMPANY</u>		TELEPHONE NO. <u>248-374-4600</u>			
ORGANIZATION/COMPANY <u>DAN LINNEN</u>		FAX NO.			
ADDRESS <u>42875 GRAND RIVER AVE</u>		CITY <u>NOV</u>		STATE <u>MI</u>	ZIP CODE <u>48375</u>
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <u>JOEGEMAS@LUNAENT.COM</u>		CELL PHONE NO.	
NAME <u>TOM CELANI</u>		TELEPHONE NO. <u>248-465-1550</u>			
ORGANIZATION/COMPANY <u>LUNA PROPERTIES NOVI LLC</u>		FAX NO.			
ADDRESS <u>42875 GRAND RIVER</u>		CITY <u>NOVI</u>		STATE <u>MI</u>	ZIP CODE <u>48375</u>
III. ZONING INFORMATION					
A. ZONING DISTRICT					
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input checked="" type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____					
B. VARIANCE REQUESTED					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section _____ Variance requested _____					
2. Section _____ Variance requested _____					
3. Section _____ Variance requested _____					
4. Section _____ Variance requested _____					
IV. FEES AND DRAWINGS					
A. FEES					
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input checked="" type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600					
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF					
<ul style="list-style-type: none"> Dimensioned Drawings and Plans Site/Plot Plan Existing or proposed buildings or addition on the property Number & location of all on-site parking, if applicable 			<ul style="list-style-type: none"> Existing & proposed distance to adjacent property lines Location of existing & proposed signs, if applicable Floor plans & elevations Any other information relevant to the Variance application 		

Called Dan Linnen 3/16/16 - re: missing representative @ mkg -

will send contractor on 4/12/16 mkg



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL USE SIGN

There is a five-(5) hold period before work/action can be taken on variance approvals.

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten-(10) days before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is **NOT** to be actual sign. Upon approval, the mock-up sign must be removed within five-(5) days of the meeting. If the case is denied, the applicant is responsible for all costs involved in the removal of the mock-up or actual sign (if erected under violation) within five-(5) days of the meeting.

C. ORDINANCE

City of Novi Ordinance, Section 3107 – Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Applicant Signature

2/2/16
Date

B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:

The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

Property Owner Signature

Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED

DENIED

Tabled

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals

Date



Community Development Department
45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

REVIEW STANDARDS SIGN VARIANCE

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Sign Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Sign Variance.)

Standard #1. Extraordinary Circumstances or Conditions.

Explain how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Circumstances or physical conditions may include:

- a. **Shape of Lot.** A sign could not be placed in the location required by the Zoning Ordinance due to the shape, topography or other physical conditions of the lot or due to the location of an existing structure.

Not Applicable Applicable If applicable, describe below:

and/or

- b. **Environmental Conditions.** A sign could not be placed in the location required by the Zoning Ordinance without removing or severely altering natural features, such as trees, topography, drainage courses or encroaching upon stormwater facilities.

Not Applicable Applicable If applicable, describe below:

and/or

- c. **Abutting Property.** A sign could not be reasonably seen by passing motorists due to the configuration of existing buildings, trees, signs or other obstructions on an abutting property.

Not Applicable Applicable If applicable, describe below:

d. **Scale of Building or Lot Frontage.** A sign that exceeds permitted dimensions for area and/or height could be considered appropriate in scale due to the length of the building frontage (wall sign only) or length of the lot frontage (ground sign only).

Not Applicable Applicable If applicable, describe below:

e. **Not Self-Created.** Describe the immediate practical difficulty causing the need for the Variance was not created by the applicant or any person having an interest in the sign, sign structure, or property.

Not Applicable Applicable If applicable, describe below:

Standard #2. Limit Use of Property.

Explain how the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

THERE IS NO VISIBILITY FOR THIS SPACE FROM ADJUTING PROPERTIES. BY ALLOWING A PROJECTION SIGN WE WILL BE VISIBIC TO THE GRAAND MUCK SIDE OF DEVELOPMENT. P MEVIOUS TENANT WAS ALLOWED SIMILAR

Standard #3. Adverse Impact on Surrounding Area.

Explain how the Sign Variance will not result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit and intent of this chapter.



- Sign Description
- Aluminum Backs
 - Aluminum Returns
 - 1" Jewelite
 - 3/16" Acrylic Faces
 - LED lit
 - Power Supply
 - Aluminum Custom Blade sign
 - UL Listed

Date: 2-18-16

Site Address:

Contact Info:

Landlord Info:

Photo of Suite:

Meas. of Suite:

Site Plan:

.Eps Artwork:

Check Sign Ordinance:

Wall Color SW#:

Landlord Approval:

Permits Needed:

ACCEPTANCE OF ARTWORK The drawing above is an artistic representation ONLY. Elements may vary based on field measurements. This color proof is intended for verification of spelling, layout, color and composition. (PLEASE HELP AVOID UNNECESSARY COSTS BY CHECKING THIS PROOF CAREFULLY.) Signature constitutes authorization to proceed with specifications and conditions of this document as specified. All artwork and designs are property of Sign Fabricators and may not be used without expressed written permission of Sign Fabricators.

Approval: _____ Date: _____

43984 Groesbeck Highway
Clinton Township, MI 48036
Phone 586-493-0502 Fax 586-493-0503



February 2, 2016

Sign Fabricators
43984 N. Groesbeck
Clinton Township, Michigan 48036

RE: MICHIGAN BEER EXCHANGE – 42875 GRAND RIVER #104

The sign permit application for the above location has been reviewed and denied.

Sign Code Section 28-5(2)f.2. permits upper level projecting signs for businesses located on the upper level.

Sign Code Section 28-5(2)f.2.(a) permits upper level projecting signs not exceeding 15 square feet in area or 3 feet in width. The proposed sign is 26.6 square feet.

Sign Code 28-5(2)f.2.(b) requires the bottom of any upper level projecting sign to be a minimum of 12 feet above the grade. This dimension has not been provided on the plan.

Your application for the Zoning Board of Appeals has been received.

If you have any questions please contact me at 248-347-0438.

Sincerely,

CITY OF NOVI

Jeannie Niland
Ordinance Enforcement Officer