



# COMMUNITY DEVELOPMENT DEPARTMENT

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

## ZONING BOARD OF APPEALS STAFF REPORT

**FOR:** City of Novi Zoning Board of Appeals      **ZONING BOARD APPEALS DATE:** March 15, 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:

1. 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

March 15, 2016

Page 3 of 3

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

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

# ZONING BOARD OF APPEALS APPLICATION

RECEIVED

FEB 02 2016

CITY OF NOVI  
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: <u>\$300.00</u>
PROJECT NAME / SUBDIVISION <u>7271 E. Grand Ave. Novi, MI 48375</u>				Meeting Date: <u>2-2-16</u>
ADDRESS		LOT/SIUTE/SPACE #		ZBA Case #: <u>PZ 110-0003</u>
SIDWELL # <u>50-22-23-100-01</u>		May be obtain from Assessing Department (248) 347-0485		
GROSS ROADS OF PROPERTY				
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?		REQUEST IS FOR:		
<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		<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				
<b>II. APPLICANT INFORMATION</b>				
<b>A. APPLICANT</b>		EMAIL ADDRESS		CELL PHONE NO.
NAME <u>22000 E. Grand Ave. D. S. ...</u>				TELEPHONE NO.
ORGANIZATION/COMPANY				FAX NO.
ADDRESS		CITY	STATE	ZIP CODE
<b>B. PROPERTY OWNER</b>		<input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER		
Identify the person or organization that owns the subject property:		EMAIL ADDRESS		CELL PHONE NO.
NAME <u>Tom ...</u>				TELEPHONE NO.
ORGANIZATION/COMPANY				FAX NO.
ADDRESS		CITY	STATE	ZIP CODE
<b>III. ZONING INFORMATION</b>				
<b>A. ZONING DISTRICT</b>				
<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 type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____				
<b>B. VARIANCE REQUESTED</b>				
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:				
1. Section _____ Variance requested _____				
2. Section _____ Variance requested _____				
3. Section _____ Variance requested _____				
4. Section _____ Variance requested _____				
<b>IV. FEES AND DRAWINGS</b>				
<b>A. FEES</b>				
<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 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>B. DRAWINGS 1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS A PDF</b>				
<ul style="list-style-type: none"> <li>Dimensioned Drawings and Plans</li> <li>Site/Plot Plan</li> <li>Existing or proposed buildings or addition on the property</li> <li>Number &amp; location of all on-site parking, if applicable</li> <li>Existing &amp; proposed distance to adjacent property lines</li> <li>Location of existing &amp; proposed signs, if applicable</li> <li>Floor plans &amp; elevations</li> <li>Any other information relevant to the Variance application</li> </ul>				

# 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

10/16  
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:

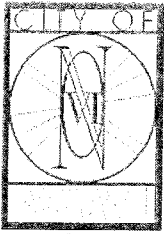
GRANTED

DENIED

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

\_\_\_\_\_  
Chairperson, Zoning Board of Appeals

\_\_\_\_\_  
Date



cityofnovi.org

**Community Development Department**

45175 Ten Mile Road  
Novi, MI 48375  
(248) 347-0415 Phone  
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**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.

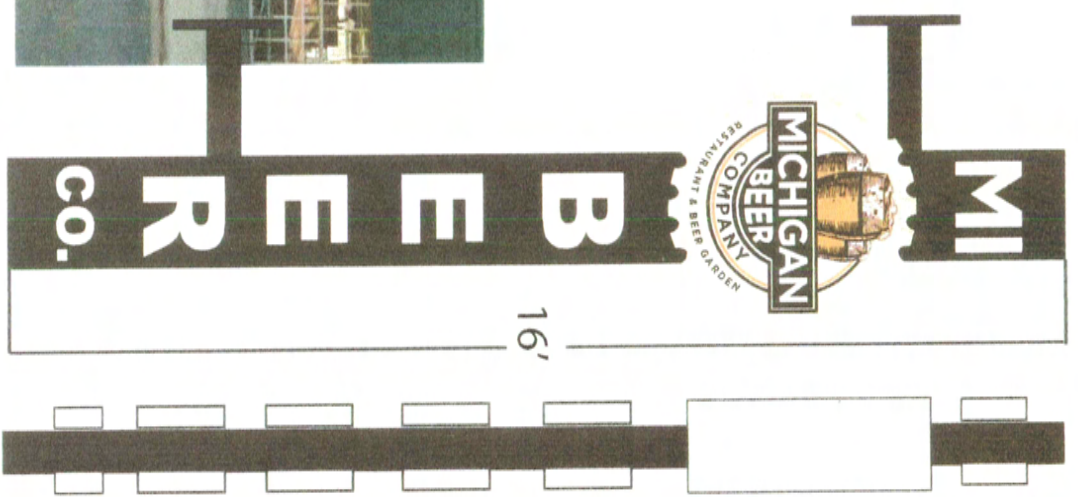
Explain how the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

*There is no visibility from the street for the sign. The sign is located on the side of the building and is not visible to the street. The sign is not visible to the street. The sign is not visible to the street. The sign is not visible to the street.*

### 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.

20"



Sign Description

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

Date: 10-22-15

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.

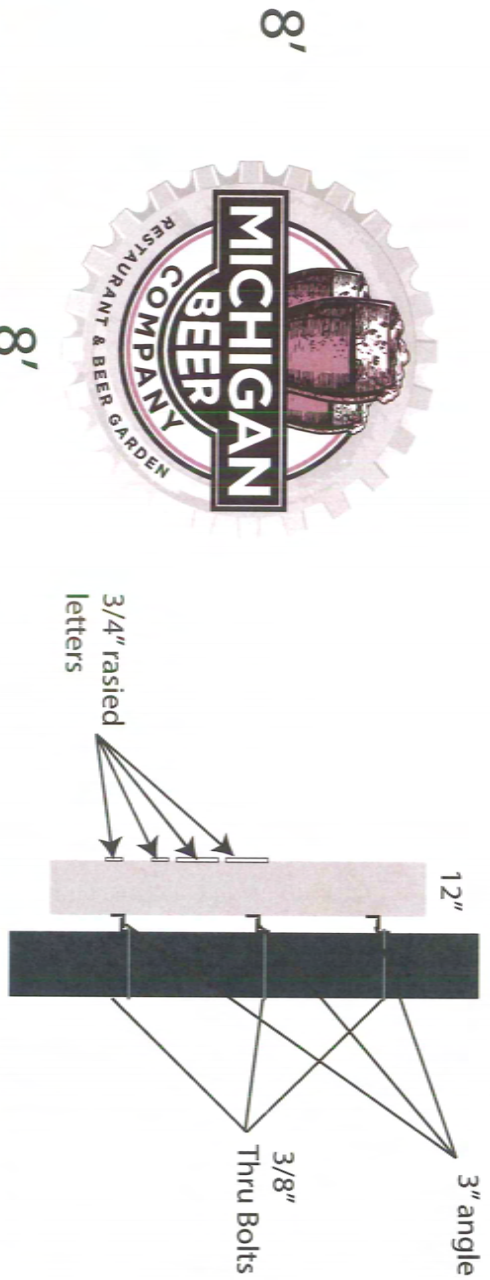
Approval: \_\_\_\_\_

Date: \_\_\_\_\_



43964 Groesbeck Highway  
 Clinton Township, MI 48036  
 Phone 586-493-0502 Fax 586-493-0503





MICHIGAN = 10" letters  
 BEER = 10"  
 COMPANY = 5" letters  
 RESTURANT & BEER  
 GARDEN = 3" LETTERS



Sign Description
- Aluminum Backs
- Aluminum Returns
- Aluminum retainers
- 3/16" Lexan Faces
- 3/4" Raised letters
-
-

Date:	11-3-15
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:	

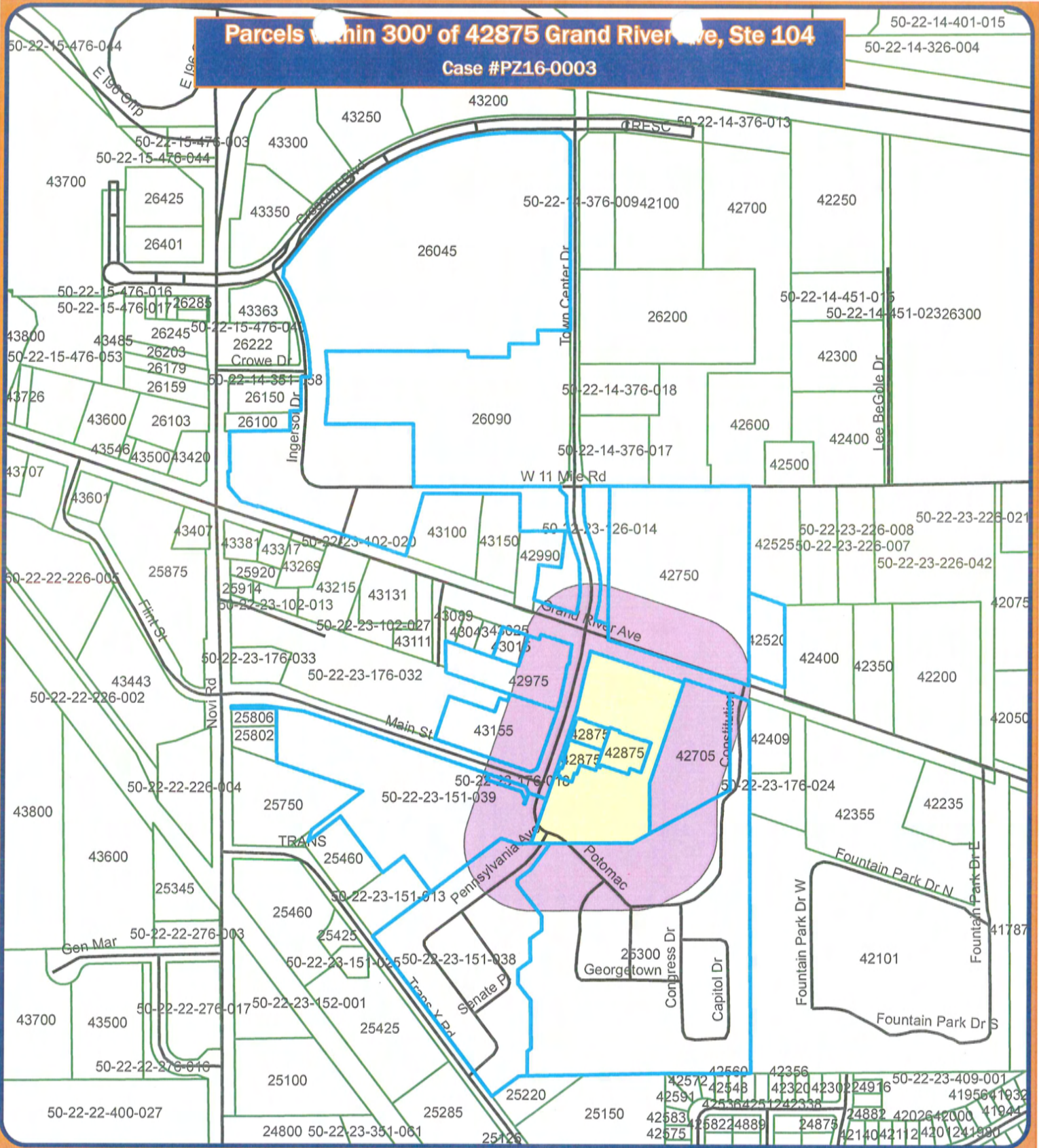
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Approval: \_\_\_\_\_

Date: \_\_\_\_\_

# Parcels within 300' of 42875 Grand River Ave, Ste 104

Case #PZ16-0003



Map Author: Jon Gartha  
 Date: February 4, 2016  
 Project: Address List for 22-23-176-011  
 Version #: 1.0

Amended By:  
 Date:  
 Department:

**MAP INTERPRETATION NOTICE**

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

**Map Legend**

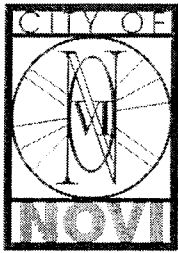
- 300' Buffer
- Subject Property
- Tax Parcel
- Municipality**
- Novi
- Novi Twp.



**City of Novi**

IT Department  
 GIS Division  
 45175 Ten Mile Rd  
 Novi, MI 48375  
 cityofnovi.org





cityofnovi.org

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

A handwritten signature in cursive script that reads "Jeannie Niland".

Jeannie Niland  
Ordinance Enforcement Officer