



# 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: January 9, 2018

REGARDING: 42875 Grand River Road, Suite104, Parcel # 50-22-23-176-011 (PZ17-0060)

BY: Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Ray Kurmas/Michigan Beer Company

**Variance Type**

Sign Variance

**Property Characteristics**

|                  |   |
|------------------|---|
| Zoning District: | Town Center-1                                     |
| Location:        | East of Novi Road and South of Grand River Avenue |
| Parcel #:        | 50-22-23-176-011                                  |

**Request**

The applicant is requesting a variance from the City of Novi Code of Ordinances Section 28-5(1)(c)(d) for the proposed installation of an approved oversized 45.83 square foot wall sign facing the parking lot, and Section 28-5(1)(c)(2)(b) for design variance. This property is zoned Town Center-1 (TC-1).

### II. STAFF COMMENTS:

*Existing sign variance in place.*

### 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. **PZ17-0060**, 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. **PZ17-0060**, 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 \_\_\_\_\_.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler  
Deputy Director Community Development  
City of Novi



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## ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

RECEIVED

NOV 29 2017

CITY OF NOVI  
COMMUNITY DEVELOPMENT

|   |  |   |                                       |
|---|--|---|---------------------------------------|
| <b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>  |  |   |                                       |
| PROJECT NAME / SUBDIVISION<br><i>Vics Market Sub Association</i>  |  | Application Fee: <u>\$300</u>   |                                       |
| ADDRESS<br><i>48875 Grand River Rd</i>  | LOT/SUITE/SPACE #<br><i>104</i>                        | Meeting Date: <u>Jan 9<sup>th</sup> 2018</u>  |                                       |
| SIDWELL #<br><i>50-22-23-176-011</i>  | May be obtain from Assessing Department (248) 347-0485 |   |                                       |
| CROSS ROADS OF PROPERTY<br><i>MAIN ST / MARKET ST</i>   |  |   |                                       |
| IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO   |  | REQUEST IS FOR:<br><input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input checked="" type="checkbox"/> SIGNAGE  |                                       |
| DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input type="checkbox"/> NO   |  |   |                                       |
| <b>II. APPLICANT INFORMATION</b>  |  |   |                                       |
| <b>A. APPLICANT</b>   |  | EMAIL ADDRESS<br><i>info@m.beerco.com</i>   | CELL PHONE NO.<br><i>586-921-3648</i> |
| NAME<br><i>Ray Kumaras</i>  |  | TELEPHONE NO.<br><i>248-349-7000</i>  |                                       |
| ORGANIZATION/COMPANY<br><i>Michigan Beer Company</i>  |  | FAX NO.   |                                       |
| ADDRESS<br><i>48875 Grand River #104</i>  | CITY<br><i>Novi</i>                                    | STATE<br><i>MI</i>  | ZIP CODE<br><i>48375</i>              |
| <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.<br><i>248-318-5187</i> |
| NAME<br><i>Tom Celan</i>  |  | TELEPHONE NO.<br><i>248-465-0092</i>  |                                       |
| ORGANIZATION/COMPANY<br><i>Luna Properties Novi, LLC</i>  |  | FAX NO.   |                                       |
| ADDRESS<br><i>48875 Grand River #202</i>  | CITY<br><i>Novi</i>                                    | STATE<br><i>MI</i>  | ZIP CODE<br><i>48375</i>              |
| <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<br><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>B. VARIANCE REQUESTED</b>  |  |   |                                       |
| INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:  |  |   |                                       |
| 1. Section <u>28-5(1)(a)(d)</u> Variance requested <u>Size of Sign 45.73</u>  |  |   |                                       |
| 2. Section <u>28-5(1)(c)(2)(b)</u> Variance requested <u>design variance</u>  |  |   |                                       |
| 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<br><input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400<br><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>   |  |   |                                       |
| <input type="checkbox"/> Dimensioned Drawings and Plans<br><input type="checkbox"/> Site/Plot Plan<br><input type="checkbox"/> Existing or proposed buildings or addition on the property<br><input type="checkbox"/> Number & location of all on-site parking, if applicable   |  | <input type="checkbox"/> Existing & proposed distance to adjacent property lines<br><input type="checkbox"/> Location of existing & proposed signs, if applicable<br><input type="checkbox"/> Floor plans & elevations<br><input type="checkbox"/> Any other information relevant to the Variance application |                                       |



# 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

11-08-17  
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.

X   
Property Owner Signature

11-29-17  
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



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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:

- 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:

- 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). *THE LENGTH OF THE BUSINESS AND 2-ENTRANCES IS CAUSE*

Not Applicable  Applicable

If applicable, describe below:

*ONE ENTRANCE IS FOR RESTAURANT DINING AND ONE ENTRANCE HAS ALWAYS BEEN USED FOR THE GARDEN/ENTERTAINMENT SIDE. WE WOULD LIKE TO ADD ANOTHER COPY TO THE ENTERTAINMENT ENTRANCE AND CALL IT -QUEL- THIS WOULD GIVE MAIN ST THE APPEARANCE OF ANOTHER SINGLE OR BUSINESS ON THE STREET.*

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.

*TO SPECIFY THE ENTERTAINMENT / BANQUET SIDE OF THE BUSINESS AND DESIGNATE THAT ENTRANCE AND HELP US PROMOTE OUR BUSINESS. IT WILL ALSO BE SEEN WHEN YOU COME DOWN MAIN ST. IT IS CONFUSING NOW.*

## 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.

*WE OWN PLOTS, MICHIGAN BEER COMPANY AND THIS BACK SPACE USED FOR ENTERTAINMENT AND BANQUETS. WE HAVE LEASED THE ENTIRE BLOCK ON MARKET ST. WE BELIEVE THIS WILL ENHANCE THE DOWNTOWN FEEL AND HELP CREATE A DISTRICT PEOPLE WILL COME BACK DOWNTOWN FOR. THERE IS NO NEGATIVE IMPACT ON NEIGHBORS*

Existing



Proposed sign (brickwork and windows just for mockup purposes)



120"

46 SF

55"



WORK ORDER #

SITE ADDRESS

42705 Grand River

SIGN ORDINANCE

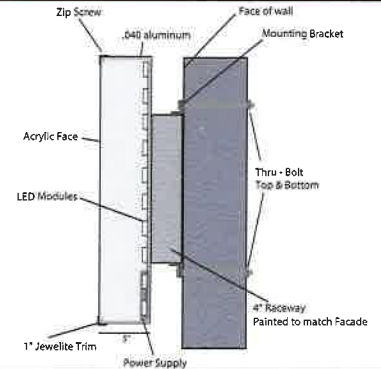
TYPE OF SIGN

Wall Sign on Raceway

SIGN DETAILS

- .040 ALUMINUM BACKS
- .040 ALUMINUM RETURNS
- 1" JEWELITE (TRIM)
- 3/16" ACRYLIC FACES
- LED LIT
- POWER SUPPLY
- UL LISTED

MOUNTING DETAIL



**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 Twp. MI 48036  
Phone: 586-493-0502 Fax: 586-493-0503



OVER 170' OF FRONTAGE







SIR



MAIN ST



