



ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department

Case No. PZ14-0053 Shiro Restaurant

Location: 43180 Nine Mile Road

Zoning District: RM-1, Low-Density Multiple Family District

The applicant is requesting a variance from Section 28-8 to allow continued placement of a thirty six (36) square foot off-premises pole sign for an existing restaurant business. The property is located on the north side of 9 Mile Road and east of Novi Road

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 28-8 allows off-premises advertising signs in the I-2 Zoning District only.

City of Novi Staff Comments:

The petitioner is requesting a variance to allow continued placement of an off-premises pole sign of thirty six (36) square feet near the northeast corner of Nine Mile and Novi Roads. Variances for this sign in the same location were approved in previous cases ZBA06-026, ZBA07-087, ZBA 09-034 and ZBA 11-032. While the location of the existing structure is somewhat unique staff cannot support the request as the failure to grant relief will not unreasonably prevent or limit the use of the property and will not result in substantially more than mere inconvenience or inability to attain a higher economic or financial return. If the board is inclined to consider granting the variance staff suggests that consideration be given to a limited period of time and to this business only.

Standards for Granting a Sign Variance

CITY OF NOVI, CODE OF ORDINANCES, Section 28-16 addresses Sign Variance Appeals:

- The request is based upon circumstances or features that are exceptional and unique to the property and do not result from conditions that exist generally in the City or that are self-created, specifically_____.
- 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 because _____.
- The grant of relief will not result in a use of 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 of the ordinance because_____.



COMMUNITY DEVELOPMENT DEPARTMENT

PZBA11-032 - ACTION SUMMARY

PROJECT SUMMARY:

Sign extension

APPLICANT/OWNER INFORMATION:**APPLICANT**

J. WOONG SHIN
43180 NINE MILE ROAD
NOVI MI 48375

OWNER

SHIRO'S RESTAURANT
43180 NINEMILE
NOVI, MI 48375

PROPERTY INFORMATION:

LOCATION/ADDRESS: 43180 NINE MILE RD

PARCEL NUMBER: 50-22-26-300-009

ZONING DISTRICT: I-1

SUBDIVISION:

LOT/UNIT #:

ACTION SUMMARY:

CBA MEETING DATE 10/26/2011

Sign extension

CASE NO. 11-032 SHIRO RESTAURANT

The applicant is requesting a variance from Section 28-8 to allow continued placement of a thirty six (36) square foot off-premises pole sign for an existing restaurant business located at 43180 Nine Mile Road in the RM-1, Low Density Multiple Family District.

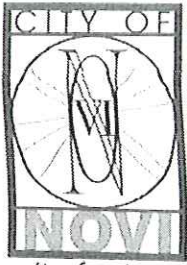
CITY OF NOVI, CODE OF ORDINANCES, Section 28-8 allows off-premises advertising signs in the I-2 Zoning District only.

IN CASE NO. 11-032 Motion to approve the request for the variance to allow the continued placement of the 36 square foot off-premises sign for an existing restaurant business for 3 years. The request is based upon circumstances or features that are exceptional and unique to the property being that this is a house farther east of Novi Road and does not result from conditions that exist generally in the City or that are self-created. The applicant is the property owner of the property from Novi Road to the Arkin building so this sign is also on his property. The failure to grant relief will unreasonably prevent or limit the use of this historical property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return. The grant of relief will not result in a use of 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 of the ordinance.

Motion carried: 5-1

Motion maker: Krieger

43180 Nine Mile Road Shiro Restaurant



cityofnovi.org
ZBA Case No.

ZONING BOARD OF APPEALS APPLICATION

CITY OF NOVI

Community Development Department
(248) 347-0415

For Official Use Only

ZBA meeting date

P214 0053

NOV 18

Check# _____ Include payment with cash or check written to "City of Novi"

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

***Please submit one original full set of all documentation relevant to the appeal plus 14 additional complete sets.

Applicant's Name J. WOONG SHIN Date 10/10/14

Company (if applicable) SHIRO RESTAURANT

Address* 43180 NINE MILE ROAD City NOVI

State MI Zip code 48375 *Where all case correspondence is to be mailed

Applicant's E-mail address shiro1@msn.com

Phone number 248-348-1212 Fax number 248-340-3003

Request is for:

- Residential
- Vacant property
- Commercial
- Signage

Address of subject ZBA case 43180 NINE MILE ROAD; NOVI, MI Zip code 48375

Cross roads of property NINE MILE ROAD & NOVI ROAD

Sidwell number 50-22-26-300-009 May be obtained from Assessing Department (248) 347-0485

Is the property within a Homeowner's Association jurisdiction? Yes No

Zoning (Please circle one) MH R-A R-1 R-2 R-3 R-4 RM-1 RM-2 I-1 I-2 RC TC TC-1 Other

Property owner name (if other than applicant) ARKIN, L.L.C.

Does your appeal result from a Notice of Violation or Citation issued? Yes No

Indicate Ordinance section(s) and variances requested:

1. Section _____ Variance requested _____
2. Section _____ Variance requested _____
3. Section _____ Variance requested _____
4. Section _____ Variance requested _____

Please submit an accurate, scaled drawing of the property showing:

- a. All property lines and dimensions correlated with the legal description.
- b. The location and dimensions of all existing and proposed structures and uses on property.
- c. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
- d. Dimensions necessary to show compliance with the regulations of this Ordinance.

State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):
SHIRO RESTAURANT IS WELL HIDDEN IN AN INDUSTRIAL WOODED AREA. THE RESTAURANT SITS BACK 265' FROM NINE MILE AND 600' FROM NOVI ROAD AND CANNOT BE SEEN LOOKING EAST OR WEST ON NINE MILE ROAD OR NORTH AND SOUTH ON NOVI ROAD. THE DISCONTINUATION OF THE OFF-PREMISE SIGN COULD CAUSE CUSTOMERS TO BELIEVE THE RESTAURANT HAS CLOSED AND RESULT IN A LOSS OF OUR CUSTOMER BASE.

Describe any unique circumstances regarding the property (i.e., shape, topography, etc.) which are not common to other properties in the area and which prevent strict compliance with the Zoning Ordinance:

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

SIGN CASES ONLY:

Your signature on this application indicates that you agree to install a **Mock-Up Sign** ten (10) days before the scheduled ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next scheduled ZBA meeting, or cancelled. A mock-up sign is **NOT** to be the 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.

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 established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of 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.

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
 Accessory building Use Signage Other



Applicants Signature

10-10-2014

Date



Property Owners Signature

10-10-2014

Date

DECISION ON APPEAL

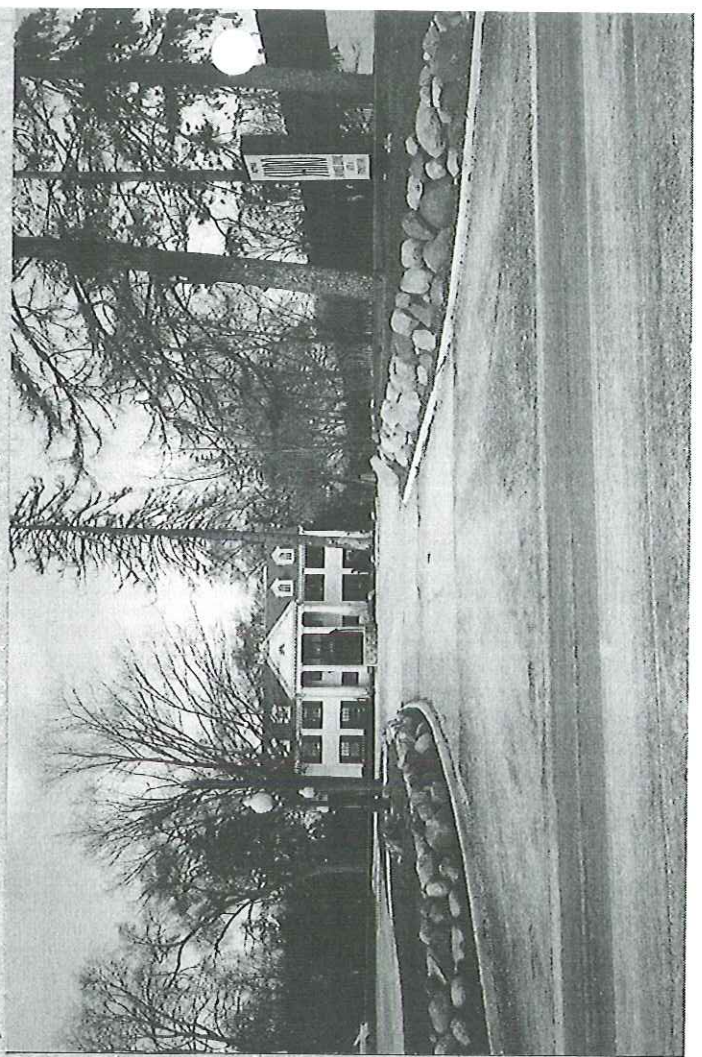
_____ Granted

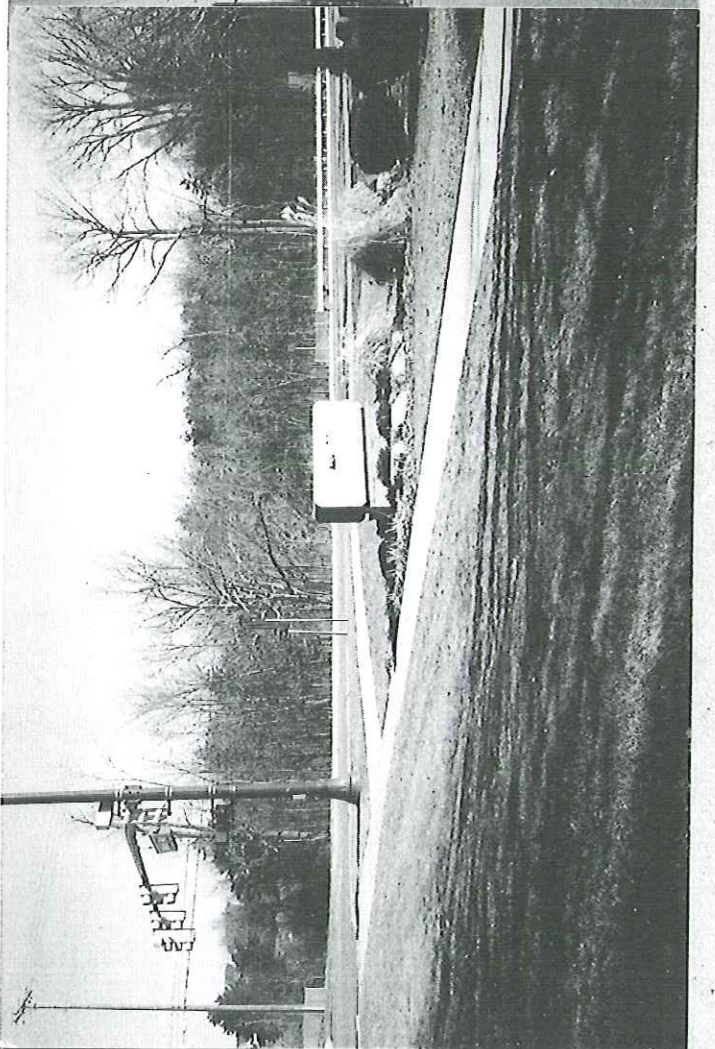
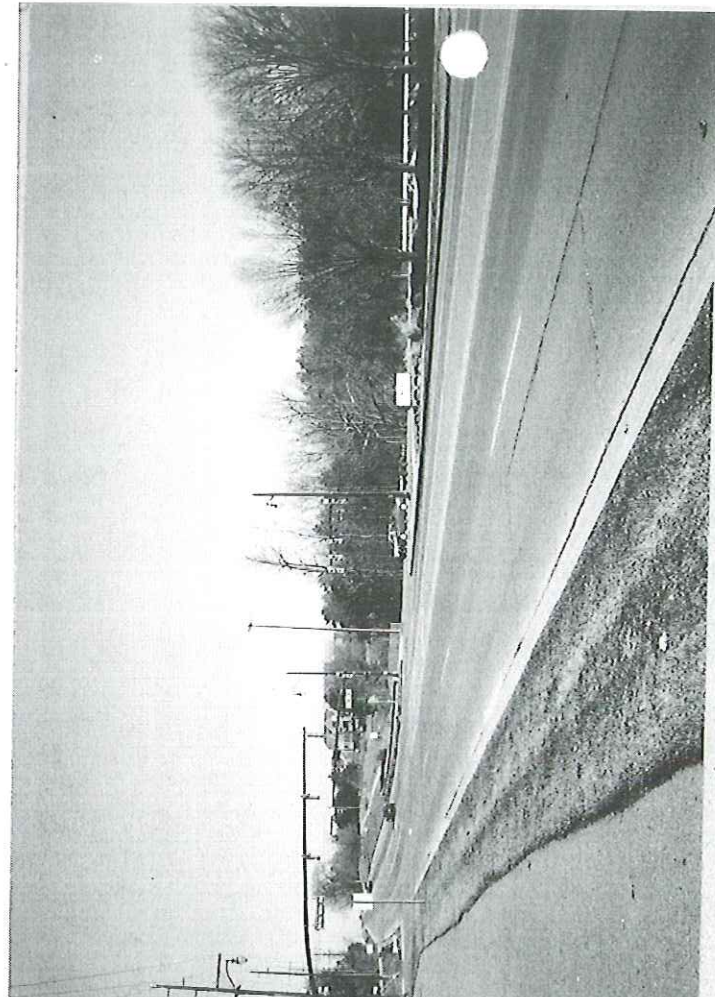
_____ Denied

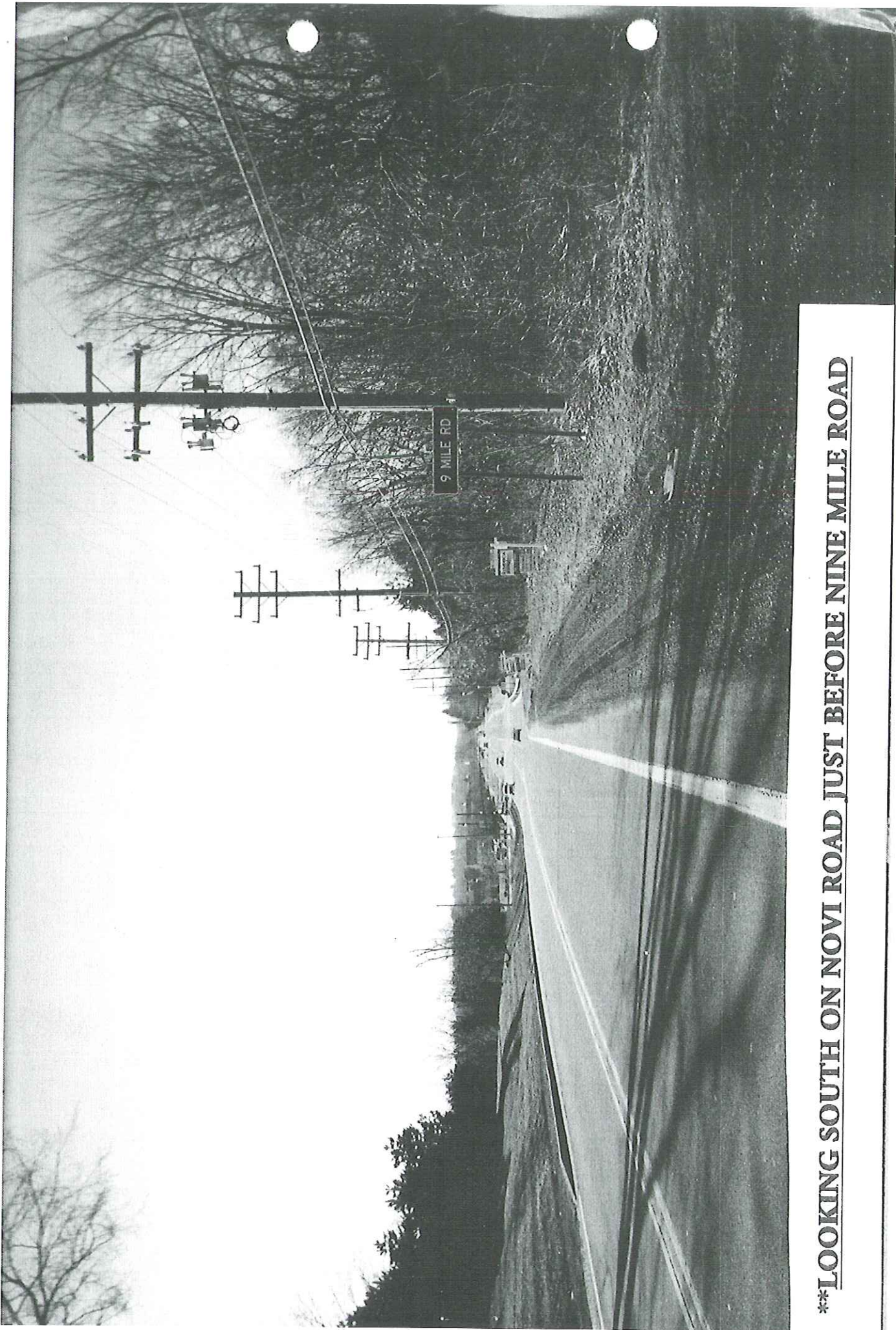
The Building Inspector is hereby directed to issue a permit to the Applicant upon the following items and conditions:

Chairperson, Zoning Board of Appeals

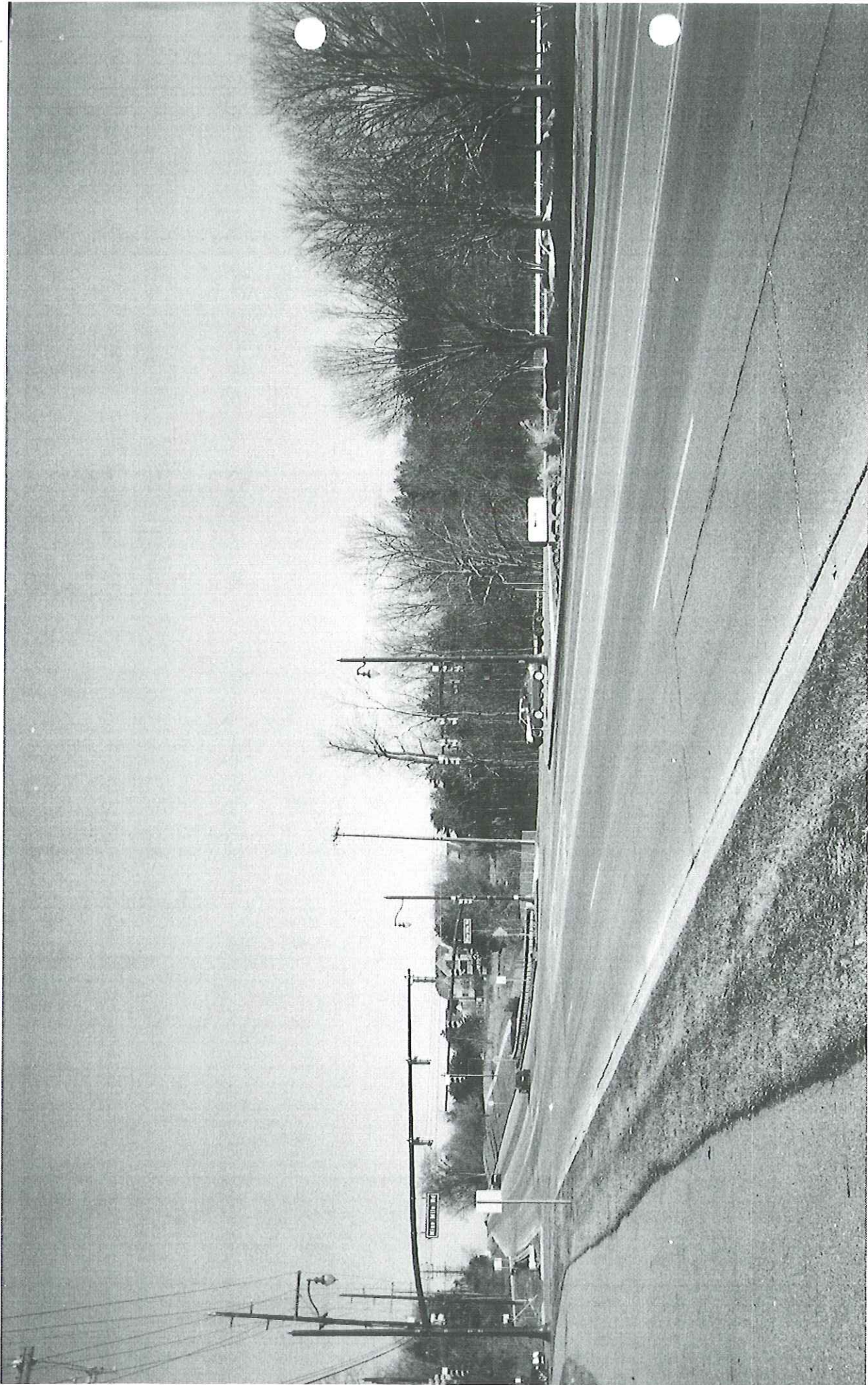
Date







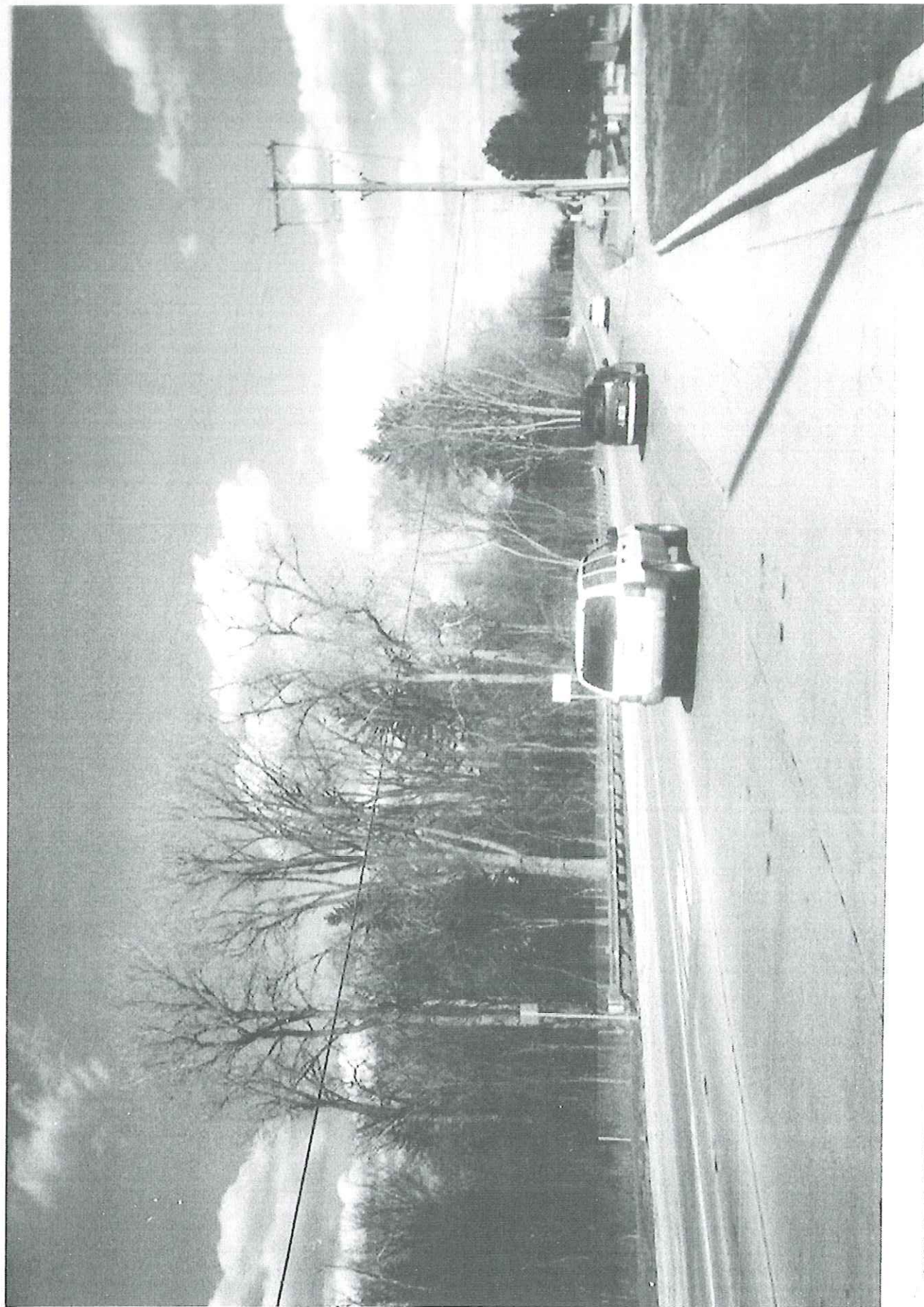
****LOOKING SOUTH ON NOVI ROAD JUST BEFORE NINE MILE ROAD**



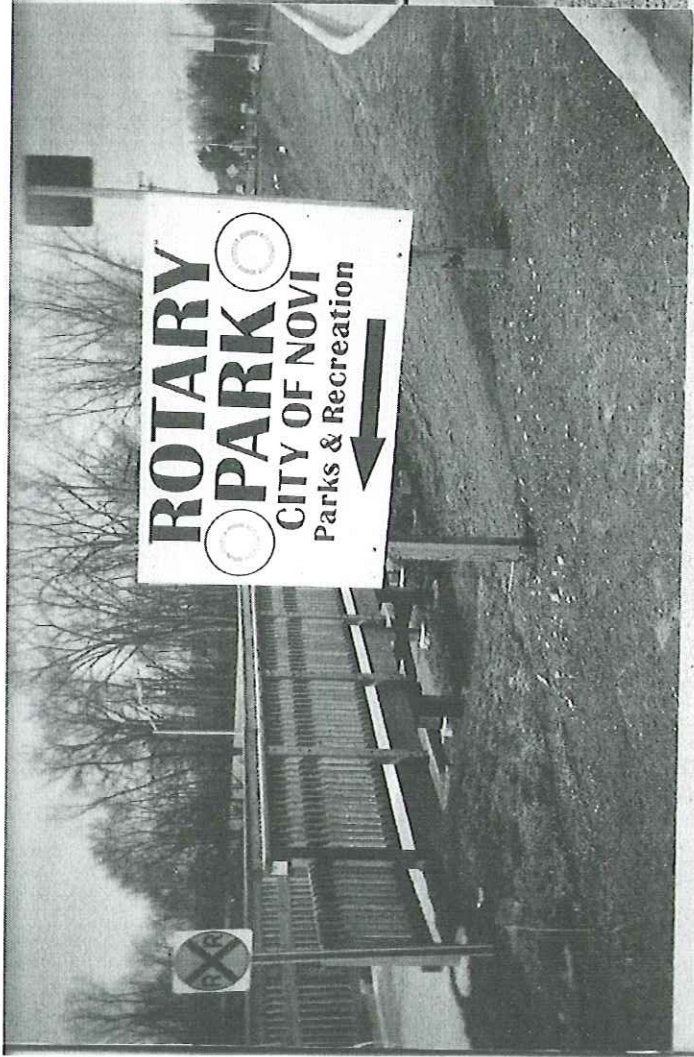
****LOOKING NORTH ON NOVI ROAD JUST BEFORE NINE MILE ROAD**



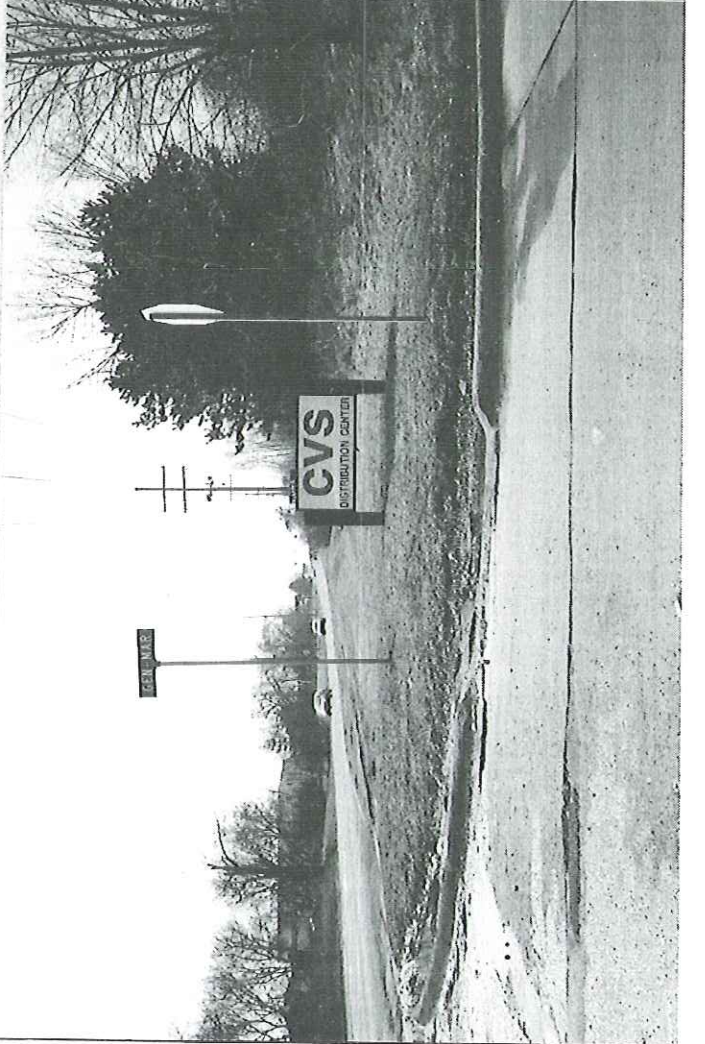
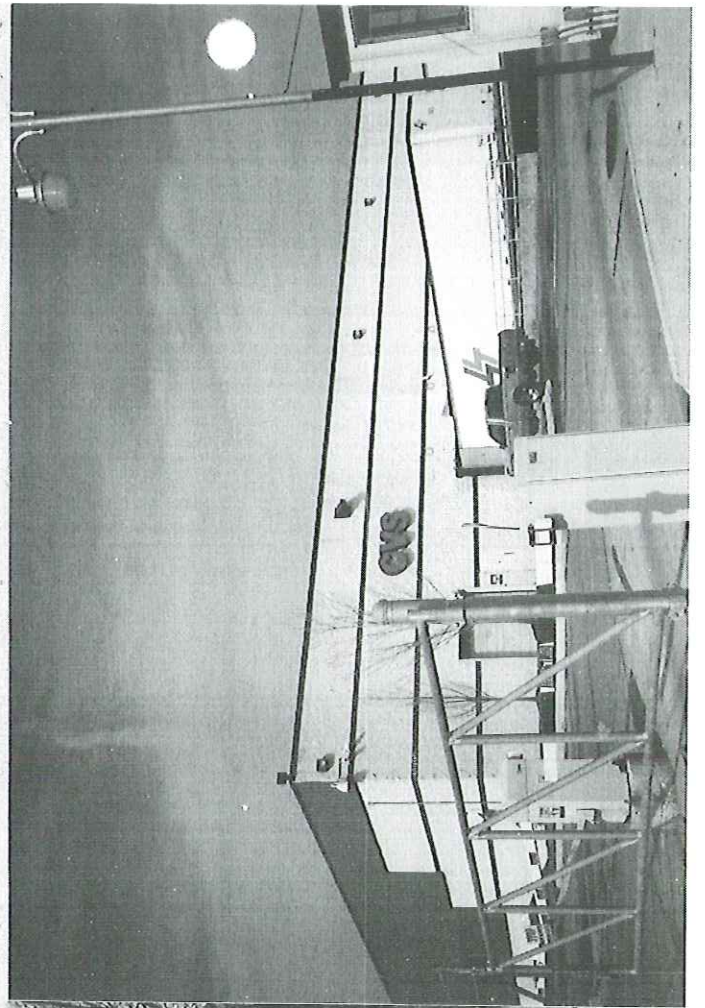
****LOOKING DOWN NINE MILE ROAD (WEST) TOWARDS NOVI ROAD**



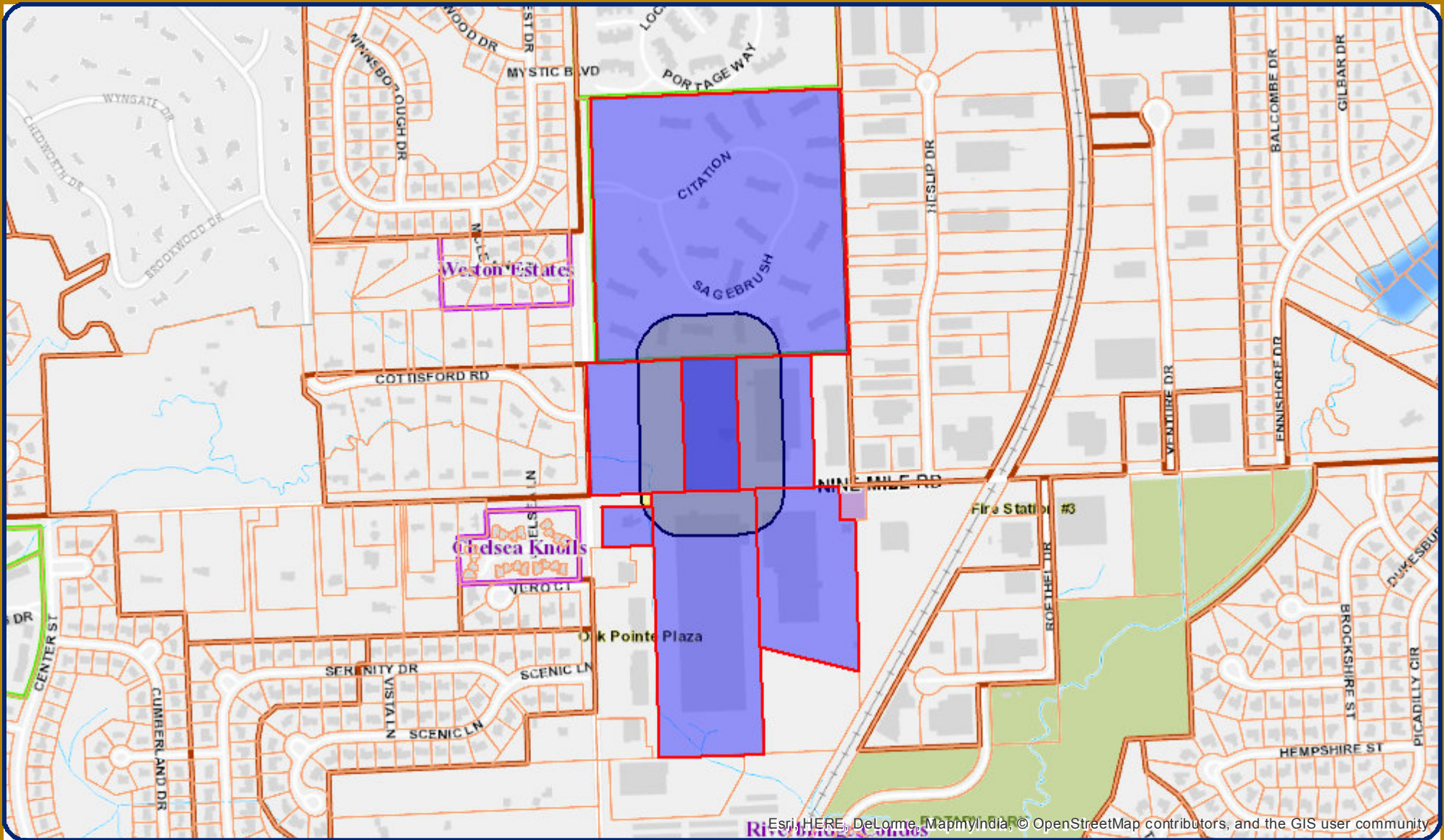
****LOOKING EAST ON NINE MILE ROAD FROM NOVI ROAD**







Novi, MI



Map Produced Using the
City of Novi, Michigan
Internet Mapping Portal



Author:
Date: 10/31/2014

MAP INTERPRETATION NOTICE

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