

PUBLIC NOTICE

City of Berkley, Michigan
Regular Meeting of the Zoning Board of Appeals
Monday, October 8, 2018
7:30 PM – Public Safety Building
2nd Floor Conference Room
Information: (248) 658-3320

CALL TO ORDER
PLEDGE OF ALLEGIANCE
ROLL CALL
APPROVAL OF AGENDA
APPROVAL OF MINUTES – *Meeting of September 10, 2018*

ITEMS FOR THE AGENDA

1. **APPLICATION NUMBER PBA-06-18**

Borson Dental—1865 Coolidge, Lot 5 Exc E 9.91 ft, Denler Acres Subdivision, Parcel ID: 25-18-479-022, is requesting a variance to reface a non-conforming monument sign

2. **APPLICATION NUMBER PBA-07-18 APPLICATION WITHDRAWN**

Jeffrey & Amanda Marentis—2088 Catalpa Dr

3. **APPLICATION NUMBER PBA-08-18**

Jay Sutton—2448 Coolidge, Lot 16 Exc W 11 ft, Perry-Mortenson Co's Sunnyknoll Farms Subdivision, is requesting a variance to add signage to an existing pole that does not meet setback requirements.

OTHER BUSINESS
LIAISON REPORT
PUBLIC COMMENTS
ADJOURN

***PLEASE NOTE THAT THE MEETING LOCATION HAS BEEN CHANGED TO THE SECOND FLOOR CONFERENCE ROOM AT THE PUBLIC SAFETY BUILDING.**

Notice: Official Minutes of the Zoning Board of Appeals are stored and available for review at the Office of the City Clerk. The City of Berkley will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered at the meeting, to individuals with disabilities at the meeting upon four working days notice to the city. Individuals with disabilities requiring auxiliary aids or services should contact the city by writing or calling: City Clerk, ADA Contact, Berkley City Hall, 3338 Coolidge, Berkley, Michigan 48072, (248) 658-3300.

A MEETING OF THE ZONING BOARD OF APPEALS WAS CALLED TO ORDER AT 7:30 PM, MONDAY, SEPTEMBER 10, 2018 AT CITY HALL BY VICE CHAIR MCALPINE. UNOFFICIAL MINUTES

PRESENT: Steve Allen Scott Emmons
 Miles Uhlar Joe Krug Sue McAlpine

ALSO PRESENT: Ross Gavin, City Council Liaison
 Timothy McLean, Community Development Director

APPROVAL OF AGENDA

It was moved by Mr. Allen and supported by Mr. Emmons to approve the agenda as written.

AYES: Allen, Emmons, Krug, Uhlar, McAlpine
NAYS: None

Motion Carried.

APPROVAL OF MINUTES

It was moved by Mr. Allen to approve the minutes of July 9, 2018, and supported by Mr. Emmons.

AYES: Emmons, Krug, Uhlar, Allen, McAlpine
NAYS: None

Motion Carried.

1. Zoning Board of Appeals-Rules of Procedure

Community Development Director McLean gave a review of revisions that had been made to the Rules of Procedure. Mr. McLean suggested that language could be added that sets a rotation for the utilization of alternated members. Additionally, he suggested that the start time for ZBA meetings could also be changed.

Mr. Allen and Mr. Emmons spoke in favor of adding language to set a rotation of alternate members.

Vice Chair McAlpine suggested changing the meeting start times to 7PM, consistent with the start time of City Council meetings.

The consensus of the Board was to add language for rotating alternate members and to change the start time for ZBA meetings.

It was moved by Mr. Allen and seconded by Mr. Krug to approve recommended changes drafted by the Community Development Director, to add language addressing the rotation of alternate members, and to add language changing the start of meeting to 7:00PM.

AYES: Krug, Uhlar, Allen, Emmons, McAlpine
NAYS: None

Motion Carried.

STAFF COMMENTS

Community Development Director McLean introduced City Councilmember Ross Gavin as the new liaison to the Zoning Board of Appeals

BOARD COMMENTS

N/A

PUBLIC COMMENTS

None

With no further business, Vice Chair McAlpine adjourned the meeting at 7:41 PM.



Timothy McLean <tmclean@berkleymich.net>

ZBA Packets

Ryan Gesund <[redacted]>

Thu, Aug 30, 2018 at 8:18 PM

To: Steve Allen <sallen8961@gmail.com>

Cc: Tim McClean <tmclean@berkleymich.net>, paul evans <[redacted]>, Sue McAlpine <[redacted]>, Greg Butts <gbutts1024@gmail.com>, joe krug <krug@ac.com>, Mike Kerby <[redacted]>, Miles Uhlar <luhla@yahoo.com>, Scott Emmons <[redacted]>

As I will not be able to attend the meeting due to the Jewish Holiday Of Rosh Hashanah, I am submitting my comments on the proposed Rules including changes by email.

I do not have any concerns or comments on the rules as amended. I do like the proposed amendment of the Community Development Director regarding additional rules relating to the Alternates Members Of The Board, possibly having them serve every other absence by a regular board member, and leave whomever serves first to the discretion of the chair.

Ryan J. Gesund

[Quoted text hidden]

MEMORANDUM

TO: City of Berkley—Zoning Board of Appeals
 FROM: Timothy McLean—Community Development Director
 DATE: October 1, 2018
 RE: Report for PBA-06-18

APPLICANT:	Borson Dental—1865 Coolidge	
LOCATION:	1865 Coolidge, Lot 5 Exc E 9.91 ft, Denler Acres Subdivision, Parcel ID: 25-18-479-022	
REQUEST:	The applicant is requesting a variance to re-face a non-conforming monument sign.	
REQUIRED:	<i>Berkley City Code, Chapter 94 Signs, Sec.94-12 Non-Conforming Signs</i>	
EXISTING ZONING/LAND USE:	Gateway District/Dental Office	
SURROUNDING ZONING / LAND USE:		
	NORTH Coolidge District/Business	
WEST R-M/Condos		EAST O-1/Office
	SOUTH Gateway District/Bank	

DISCUSSION:

The property owner at Borson Dental (1865 Coolidge) is seeking a variance to re-face an existing non-conforming monument sign. The existing parcel was previously zoned as Local Business District. Monument signs are permitted by ordinance in the Local Business District. In 2008 when the Gateway District was established, 1865 Coolidge, along with several other parcels were re-zoned as Gateway District. Monument signs are not currently permitted in the Gateway District. The non-conformity was created when the property was re-zoned as Gateway District.

Sec.94-12 of the Berkley City Code states:

No nonconforming sign or its support structure:

- (1) Shall be replaced by another nonconforming sign;***
- (2) Shall have any changes made in the words or symbols used or the message displayed on the sign;***
- (3) Shall be structurally altered so as to prolong the life of the sign or so as to change the shape, size, type, or design of the sign;***
- (4) Shall be reestablished after the activity, business, or usage to which it relates has been discontinued for 90 days or longer;***
- (5) Shall be reestablished after damage or destruction if the estimated expense of reconstruction exceeds 35 percent of the appraised replacement cost.***

In order to meet the criteria for a dimensional variance, the applicant must demonstrate a practical difficulty according to the standards of Sec.138-606 of the Berkley Code of Ordinances.

Sec. 138-606. - Standards for variances.

The zoning board of appeals shall not vary the regulations of this chapter, as authorized in this section unless it shall make findings based upon the evidence presented to it in each specific case that:

- (1) Dimensional (non-use variances).***
 - a. The need for the variance is due to unique circumstances or physical conditions of the property.***
 - b. The need for the variance is not the result of actions of the property owner or previous property owners.***
 - c. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.***
 - d. The requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners.***
 - e. The requested variance will not adversely impact the surrounding properties.***

Please see the attached practical difficulty test.

**Berkley Zoning Board of Appeals
Dimensional (non-use variance) Request**

Case No. BA-06-18

Date: October 8, 2018

Has the applicant met his/her burden in demonstrating that the request meets ALL of the standards as follows? (circle YES or NO)

YES NO **1. The need for the variance is due to unique circumstances or physical conditions of the property.**

YES NO Are the physical dimensions substantially different from other properties in the district? (size, shape...)

YES NO Are there any physical anomalies associated with the property? (a river, a mountain...)

YES NO -

The standard has been met because _____

YES NO **2. The need for the variance is not the result of actions of the property owner or previous property owners.**

YES NO Did the property satisfy the ordinance prior to action by the applicant?

YES NO Did the owner or previous owner create the unique conditions presented in support of the variance?

YES NO -

The standard has been met because _____

YES NO **3. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.**

YES NO Requirements create an unbuildable lot or prevent the use

YES NO Requirements prevent a fully compliant building/structure (unnecessary burden)

YES NO Not merely an inconvenience

YES NO -

The standard has been met because _____

**Berkley Zoning Board of Appeals
Dimensional (non-use variance) Request**

Case No. BA-06-18

Date: October 8, 2018

YES NO **4. The requested variance is the minimum variance necessary to do substantial just to applicant as well as other property owners.**

YES NO Granting a variance is fair to both applicant and neighbors

YES NO Allows applicant to do something others are typically allowed

YES NO If relief is warranted, minimize number and extent of variances within reason – don't grant 10' if 5' is reasonable.

YES NO -

The standard has been met because _____

YES NO **5. The requested variance will not adversely impact the surrounding properties.**

YES NO Disrupt access to light and air

YES NO Interfere with development or continued use

YES NO Public safety concerns

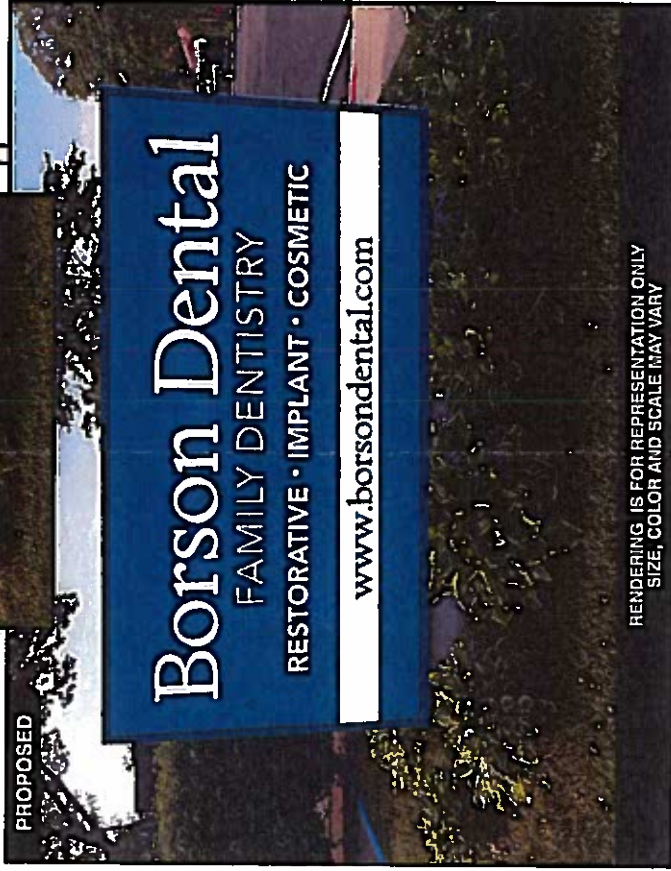
YES NO -

The standard has been met because _____

Other considerations:

- Conditions may be attached to any affirmative decision
- Situation likely to often encounter?
- Not compromise intent & purpose of Zoning Ordinance

Face change on Monument Sign (51.88 ft)



SIGN DIMENSIONS

62" x 120.50" Sign Face - 51.88 Sq. Ft.

NOTES

- Face Replacement for Existing Illuminated Box Sign
- Paint Cabinet to Match PMS#281C

**PMS#
281C**

BORSON DENTAL	Sales Person: Paul Deters	Drawn By: Connie Fotu	Date: 6/11/18	File Name: Borson Dental.cdr Monument Sign Pg 2	Revision: 7/11/18 #5	11444 Kaltz Ave Warren, MI 48089 Phone: 586-759-2700 Fax: 586-759-2703
	This drawing and design/layout is the property of Metro Detroit Signs. The use of which in part or in whole is not permitted without prior written consent from Metro Detroit Signs. All rights reserved. Copyright 2018			Work Order#:		METRO SIGNS ILLUMINATED



Building & Planning
 3338 Coolidge Hwy
 Berkley, MI 48072
 248-658-3320
 Fax: 248-658-3301
 www.berkleymich.org

Print Form

CITY OF BERKLEY, MICHIGAN ZONING BOARD OF APPEALS APPLICATION FORM

A complete application, a check payable to the 'City of Berkley', and 15 copies of a survey, folded plans, and other applicable data must be submitted to the City of Berkley one month prior to the date of the ZBA hearing. Fee: \$300.00 If an application is withdrawn more than 3 weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than 3 weeks prior to the meeting, no refund will be given. Account Number: 1019.

The Zoning Board of Appeals meets the second Monday of every month. The meetings are held at 7:30 p.m. in the Council Chambers at the City Hall, 3338 Coolidge Highway, Berkley, Michigan 48072.

APPLICANT:

Name: Metro Detroit Signs Phone _____
 Address: 11444 Kaltz Ave
Warren, MI 48089

Relationship to Property (current tenant, representative, future tenant, future owner, owner)
Sign contractor

PROPERTY OWNER:

Name: Borson Dental Phone _____
 Property Owner Address: 1865 Coolidge
Berkley, MI 48072

PROPERTY DESCRIPTION:

Address: 1865 Coolidge
 Sidwell (Tax I.D. #): _____ Lot & Subdivision: _____
 Current Zoning Classification: Gateway Current Use of Property: Borson Dental

VARIANCE REQUEST:

Description of Request: Install a face change on the existing monument sign
62 " x 120.5 " = 51.88 sq feet

From the City of Berkley Code, Chapter _____ Section _____

Has the City refused a permit for the request? Yes

FOUNDATIONS FOR APPEAL:

There are two types of variances: non-use variances and use variances. A use variance permits the use of land that is otherwise not allowed in a zoning district. A non-use variance is a variance regarding setbacks, height, parking, sign size or placement; fences and walls.

In either case, the applicant must prove to the Zoning Board of Appeals that not receiving this variance will cause undue hardship or practical difficulty. Please complete either the use variance or non-use variance sections (whichever is applicable to your request)—DO NOT COMPLETE BOTH SECTIONS.

NON-USE VARIANCE

A non-use variance is a variance regarding setbacks; height; parking; sign size or placement; fences and walls. The need for the variance is due to unique circumstances or physical conditions of the property because This sign was installed in 2007. In 2008 the site was re-zoned from Office to Gateway. Monument signs are not allowed in a Gateway district. The existing sign is unique.

The need for the variance is not the result of actions of the property owner or previous property owners because The existing sign was installed in 2007, and the site was rezoned in 2008.

Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome because They have a new logo now, and they can't have the wall sign look one way & the monument another way.

The requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners because It is just a face change to the existing monument sign in order to reflect their new logo. No increase in the size of the sign.

The requested variance will not adversely impact the surrounding properties because: It is just a face change to a new logo. No increase in size or height.

USE VARIANCE - N/A

A use variance permits the use of land that is otherwise not allowed in a zoning district.

The building or land cannot be reasonably used for any of the uses permitted by right or by special use permit in the current zoning district because: _____

The need for the variance is due to unique circumstances or physical conditions of the property because: _____

Proposed use will not alter the essential character of the neighborhood because: _____

The need for the variance is not the result of actions of the property owner or previous property owners because _____

I understand that ZBA members may need to access my property to better understand my case. I understand that financial hardship cannot be considered. I have received the brochure outlining ZBA procedures and requirements.

Tom Rute
Signature of Applicant

8/23/18
Date

Office Use Only
Date Application Received 8-24-18 Fee: 300⁰⁰ Receipt Number _____
Hearing Date _____ Case Number: PBA-06-18
Zoning Board of Appeals Decision _____

digitalfirst

MEDIA

MICHIGAN GROUP

Account: **528440**
 Name: **Sue Reddin**
 Company: **BERKLEY, CITY OF**

Address: **3338 COOLIDGE HWY**
BERKLEY, MI 48072

Telephone: **(248) 658-3343**
 Fax: **(000) 000-0000**
 Description: **THE CITY OF BERKLEY Building Departm**

Date: **09/10/18**
 Start Date: **09/16/18** Stop Date: **09/16/18**
 Class: **1201 - Legal Notices**
 Ad ID: **1658487**
 Ad Taker: **CRTCROWN**
 Sales Person: **Lauren Charder (200301)**
 Words: **201**
 Lines: **36**
 Agate Lines: **66**
 Depth: **3.65**
 Inserts: **3**
 Blind Box:
 PO Number:

Ad sample

THE CITY OF BERKLEY
 Building Department
 3338 Coolidge, Berkley, Michigan 48072
 (248) 658-3320

**Notice
 Meeting of the Berkley
 Zoning Board of Appeals**

Notice is hereby given, that there will be a meeting of the Zoning Board of Appeals to be held at the City of Berkley in the Council Chambers, 3338 Coolidge, Berkley, Michigan on Monday, October 8, 2018 at 7:30PM or as near thereto as the matter may be reached.

Application Number PBA-06-18

Metro Detroit Signs Inc, 1865 Coolidge Hwy, west side of Coolidge, between Columbia Rd. and Eleven Mile Rd., is requesting a variance to reface an existing non-conforming sign in the Gateway District.

Berkley City Code
 Berkley City Code, Chapter 94 Signs, Sec.94-12(2) Sec. 94-12. - Non-conforming signs.
 No nonconforming sign or its support structure: (2) Shall have any changes made in the words or symbols used or the message displayed on the sign;

Comments on the granting of the above variance may be made in person on the night of the meeting or in writing. All written comments must be in the hands of the Berkley Building Department before 7:30 p.m. on the date of the Public Hearing.

TIMOTHY MCLEAN
 COMMUNITY DEVELOPMENT DIRECTOR

Published: September 16, 2018

Total: **\$126.03**
 Paid Amount: **\$0.00**
 Amount Due: **\$126.03**

Publication


Royal Oak Tribune, Oakland Press,
 theoaklandpress.com

We Appreciate Your Business!
 Thank You Sue Reddin!

CONTACT US: Macomb Daily: (866) 288-2989 Daily Tribune: (866) 288-2989 Oakland Press: (877) 271-1272
 Heritage: (877) 332-1898 Morning Star: (877) 483-3450 Voice: (877) 463-9893

MEMORANDUM

TO: City of Berkley—Zoning Board of Appeals
 FROM: Timothy McLean—Community Development Director
 DATE: October 1, 2018
 RE: Report for PBA-08-18

APPLICANT:	Jay Sutton—Big D Lock & Key	
LOCATION:	2448 Coolidge, Lot 16 Exc W 11 ft, Perry-Mortenson Co's Sunnyknoll Farms Subdivision, Parcel ID: 25-17-301-005	
REQUEST:	The applicant is requesting a variance for a pole sign with a non-conforming setback	
REQUIRED:	<i>Berkley City Code, Chapter 94, Signs, Sec.94-7(d) Signs Requiring Permits, Sec.94-11(d)(1) General Requirements</i>	
EXISTING ZONING/LAND USE:	Coolidge/Locksmith	
SURROUNDING ZONING / LAND USE:		
	NORTH Coolidge District/Parking	
WEST Coolidge District/Business		EAST Community Centerpiece/School
	SOUTH Coolidge District/Business	

DISCUSSION:

The property owner at Big D Lock & Key (2448 Coolidge) is looking to install a new pole sign on an existing pole on the property. By ordinance, a pole sign may have a maximum height of 20 feet and a maximum sign area of 40 square feet per sign face. The height of the existing pole is 19 feet 5 inches. The proposed sign area would be 8 square feet. Sec.94-7(d) of the Berkley City Code requires that a pole sign must be setback a minimum of 5 feet from the property line. However, there is language in Sec.94-11(d)(1) that appears to contradict the standard identified in Sec.94-7(d).

Sec. 94-7. - Signs requiring permits.

(d) Pole signs.

<i>Districts Permitted</i>	<i>Maximum Sign Area</i>	<i>Maximum Height</i>	<i>Minimum Setback</i>	<i>Other Regulations</i>
<i>Local Business, Gateway, Twelve Mile, Coolidge, Woodward, Industrial, Eleven Mile</i>	<i>40 square feet per sign face</i>	<i>20 feet</i>	<i>5 feet</i>	<i>For buildings with more than one business in occupancy, a single sign may be installed per building in addition to any individual signs for tenants.</i>

(Ord. No. O-03-03, § 1, 12-15-2003; Ord. No. O-06-10, § 1, 7-19-2010)

Sec. 94-11. - General requirements.

(d) Setbacks.

- (1) No monument, pole, or pylon sign, except for those permitted in the public right-of-way shall have a setback less than three feet from any property line.***

No sign shall be erected within a ten-foot radius of a driveway/sidewalk intersection or within a five-foot radius of a sidewalk/sidewalk intersection.

(Ord. No. O-03-03, § 1, 12-15-2003; Ord. No. O-06-10, § 1, 7-19-2010; Ord. No. O-06-15, § 1, 10-19-2015)

In either case, a variance would be needed as the existing pole sits roughly 1 foot from the property line. The applicant is seeking a variance to install the sign on the existing pole which is setback less than 5 feet from the property line.

In order to meet the criteria for a dimensional variance, the applicant must demonstrate a practical difficulty according to the standards of Sec.138-606 of the Berkley Code of Ordinances.

Sec. 138-606. - Standards for variances.

The zoning board of appeals shall not vary the regulations of this chapter, as authorized in this section unless it shall make findings based upon the evidence presented to it in each specific case that:

(1) Dimensional (non-use variances).

- a. The need for the variance is due to unique circumstances or physical conditions of the property.**
- b. The need for the variance is not the result of actions of the property owner or previous property owners.**
- c. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.**
- d. The requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners.**
- e. The requested variance will not adversely impact the surrounding properties.**

Please see the attached practical difficulty test.

**Berkley Zoning Board of Appeals
Dimensional (non-use variance) Request**

Case No. BA-08-18

Date: October 8, 2018

Has the applicant met his/her burden in demonstrating that the request meets ALL of the standards as follows? (circle YES or NO)

YES NO 1. The need for the variance is due to unique circumstances or physical conditions of the property.

YES NO Are the physical dimensions substantially different from other properties in the district? (size, shape...)

YES NO Are there any physical anomalies associated with the property? (a river, a mountain...)

YES NO -

The standard has been met because _____

YES NO 2. The need for the variance is not the result of actions of the property owner or previous property owners.

YES NO Did the property satisfy the ordinance prior to action by the applicant?

YES NO Did the owner or previous owner create the unique conditions presented in support of the variance?

YES NO -

The standard has been met because _____

YES NO 3. Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome.

YES NO Requirements create an unbuildable lot or prevent the use

YES NO Requirements prevent a fully compliant building/structure (unnecessary burden)

YES NO Not merely an inconvenience

YES NO -

The standard has been met because _____

**Berkley Zoning Board of Appeals
Dimensional (non-use variance) Request**

Case No. BA-08-18

Date: October 8, 2018

YES NO **4. The requested variance is the minimum variance necessary to do substantial just to applicant as well as other property owners.**

YES NO Granting a variance is fair to both applicant and neighbors

YES NO Allows applicant to do something others are typically allowed

YES NO If relief is warranted, minimize number and extent of variances within reason – don't grant 10' if 5' is reasonable.

YES NO -

The standard has been met because _____

YES NO **5. The requested variance will not adversely impact the surrounding properties.**

YES NO Disrupt access to light and air

YES NO Interfere with development or continued use

YES NO Public safety concerns

YES NO -

The standard has been met because _____

Other considerations:

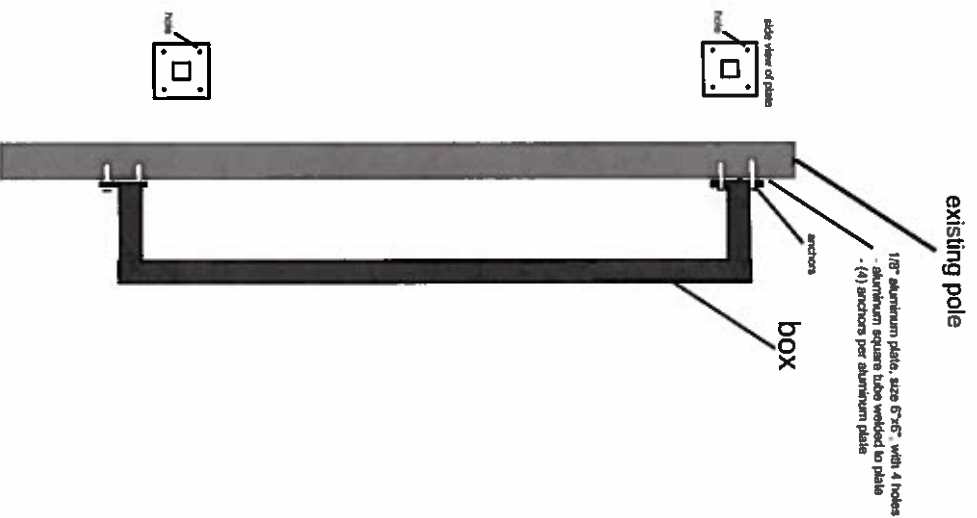
- Conditions may be attached to any affirmative decision
- Situation likely to often encounter?
- Not compromise intent & purpose of Zoning Ordinance



Big D
LOCKCITY.com
LOCKSMITH

CUSTOMER: Art Sutton | bigdlockcity@wowway.com

EXTERIOR SIGNAGE



DETAIL

- 8" Deep Sign Cabinet
- 3/16" White Acrylic Sign Face with Non Translucent Reverse Weeded Vinyl (028 Cardinal Red)
- Internally Illuminated with White LED's

SALES: Alex G. | alex@michigansignshops.com

DESIGN: Marissa D.

DATE CREATED: 06/26/2018



Troy / Metro Detroit
Signarama
The way to grow your business.

248-585-6880
1017 Naughton Dr.
Troy, MI 48063



3338 Coolidge
 Berkley, Michigan 48072
 (248) 658-3320
 FAX (248) 658-3301
www.berkleymich.org

CITY OF BERKLEY
Zoning Board of Appeals – Application Form

A complete application, a check payable to the 'City of Berkley', and 15 copies of a survey, folded plans, and other applicable data must be submitted to the City of Berkley one month prior to the date of the ZBA hearing. Fee: \$300.00 If an application is withdrawn more than 3 weeks prior to the meeting date, 90% of the fee will be refunded. If the application is withdrawn less than 3 weeks prior to the meeting, no refund will be given. Account Number: 1019.

The Zoning Board of Appeals meets the second Monday of every month. The meetings are held at 7:30 p.m. in the Council Chambers at the City Hall, 3338 Coolidge Highway, Berkley, Michigan 48072.

APPLICANT:

Name: Alex Gilbert Phone _____
 Address: 1017 NAUGHTON DR.
Troy, MI 48083

Relationship to Property (current tenant, representative, future tenant, future owner, owner)
Sign Contractor

PROPERTY OWNER:

Name: Jay Sutton Phone _____
 Property Owner Address: 2448 COOLIDGE HWY.

PROPERTY DESCRIPTION:

Address: 2448 COOLIDGE HWY.
 Sidwell (Tax I.D. #): _____ Lot & Subdivision: _____
 Current Zoning Classification: _____ Current Use of Property: _____

VARIANCE REQUEST:

Description of Request: Add signage to existing pole. Pole not set 5' from property line sign did previously exist on pole
 From the City of Berkley Code, Chapter _____ Section _____
 Has the City refused a permit for the request? yes.

GROUNDS FOR APPEAL:

There are two types of variances: non-use variances and use variances. A use variance permits the use of land that is otherwise not allowed in a zoning district. A non-use variance is a variance regarding setbacks; height; parking; sign size or placement; fences and walls.

In either case, the applicant must prove to the Zoning Board of Appeals that not receiving this variance will cause undue hardship or practical difficulty. Please complete either the use variance or non-use variance sections (whichever is applicable to your request)—DO NOT COMPLETE BOTH SECTIONS.

NON-USE VARIANCE

A non-use variance is a variance regarding setbacks; height; parking; sign size or placement; fences and walls. The need for the variance is due to unique circumstances or physical conditions of the property because

~~of changes in city ordinance, owner is not able to replace signage~~
The need for the variance is not the result of actions of the property owner or previous property owners because ~~the pole is existing on the owners property.~~ *on an existing pole*

Strict compliance with the ordinance will unreasonably prevent the property owner from using the property for a permitted purpose or will render conformity with those regulations unnecessarily burdensome because ~~there is an existing pole on the property that currently has no existing signage.~~

The requested variance is the minimum variance necessary to do substantial justice to applicant as well as other property owners because ~~the proposed sign is to go on an existing pole where a sign use to exist.~~

The requested variance will not adversely impact the surrounding properties because ~~the proposed sign faces the property and will not obstruct neighboring businesses~~

USE VARIANCE

A use variance permits the use of land that is otherwise not allowed in a zoning district.

The building or land cannot be reasonably used for any of the uses permitted by right or by special use permit in the current zoning district because _____

The need for the variance is due to unique circumstances or physical conditions of the property because _____

Proposed use will not alter the essential character of the neighborhood because _____

The need for the variance is not the result of actions of the property owner or previous property owners because _____

I understand that ZBA members may need to access my property to better understand my case. I understand that financial hardship cannot be considered. I have received the brochure outlining ZBA procedures and requirements.

[Signature] _____ Date _____

Office Use Only
Date Application Received: _____ Fee: _____ Receipt Number: _____
Hearing Date: _____ Case Number: _____
Zoning Board of Appeals Decision: _____

digitalfirst

MEDIA

MICHIGAN GROUP

Account: **528440**
 Name: **Sue Reddin**
 Company: **BERKLEY, CITY OF**

Address: **3338 COOLIDGE HWY
 BERKLEY, MI 48072**

Telephone: **(248) 658-3343**
 Fax: **(000) 000-0000**
 Description: **THE CITY OF BERKLEY Building Departm**

Date: **09/10/18**
 Start Date: **09/16/18** Stop Date: **09/16/18**
 Class: **1201 - Legal Notices**
 Ad ID: **1658495**
 Ad Taker: **CRTCROWN**
 Sales Person: **Lauren Charder (200301)**
 Words: **172**
 Lines: **32**
 Agate Lines: **60**
 Depth: **3.26**
 Inserts: **3**
 Blind Box:
 PO Number:

Ad sample

THE CITY OF BERKLEY
 Building Department
 3338 Coolidge, Berkley, Michigan 48072
 (248) 658-3320

**Notice
 Meeting of the Berkley
 Zoning Board of Appeals**

Notice is hereby given, that there will be a meeting of the Zoning Board of Appeals to be held at the City of Berkley in the Council Chambers, 3338 Coolidge, Berkley, Michigan on Monday, October 8, 2018 or as near thereto as the matter may be reached.

Application Number PBA-08-18

Signarama, 2448 Coolidge Hwy, east side of Coolidge Hwy, between Sunnyknoll Ave and Catalpa Dr, is requesting a variance to install a sign on a pole that would be inconsistent with setback requirements.

Berkley City Code
 Berkley City Code, Chapter 94 Signs, Sec.94-7(d) Pole Signs

Comments on the granting of the above variance may be made in person on the night of the meeting or in writing. All written comments must be in the hands of the Berkley Building Department before 7:30 p.m. on the date of the Public Hearing.

TIMOTHY MCLEAN
 COMMUNITY DEVELOPMENT DIRECTOR

Published: September 16, 2018

Total: **\$115.79**
 Paid Amount: **\$0.00**
 Amount Due: **\$115.79**

Publication

Royal Oak Tribune, Oakland Press,
 theoaklandpress.com

*We Appreciate Your Business!
 Thank You Sue Reddin!*

CONTACT US: Macomb Daily: (866) 288-2989 Daily Tribune: (866) 288-2989 Oakland Press: (877) 271-1272
 Heritage: (877) 332-1898 Morning Star: (877) 483-3450 Voice: (877) 463-9893