

MEMORANDUM

Community Development Department
City of Royal Oak, Michigan

Meeting Date: June 14, 2016
211 Williams St. / P.O. Box 64
Royal Oak, MI 48068-0064
Phone: (248) 246-3280
Fax: (248) 246-3005
www.romi.gov

DATE: May 26, 2016

TO: Planning Commission

FROM: Planning Division

SUBJECT: SV 16-06-04 – Sign Variance request to install monument sign for multiple-tenant building at **332 E. Lincoln Ave.** (parcel no. 25-22-302-032) with variance to allow prohibited freestanding sign in Sign Area 4.
6300 Hughes, LLC, Petitioner & Owner
Signs & Engraving II, Inc., Contractor

The above-referenced sign variance application is scheduled for consideration by the Planning Commission at the next regular meeting. The request is from the owner of a mixed-use building located at 332 East Lincoln Avenue. The property is located within Sign Area 4 and must meet the required standards of § 607-13 and all other applicable sections of the Sign Ordinance.

The petitioner applied for a sign permit to install a monument sign displaying the names of the building's various tenants. The permit application was denied by the Building Division because free-standing signs, including monument signs, are specifically prohibited in Sign Area 4 under § 607-12 (A)(2) of the Sign Ordinance.

The sign would have a height of six feet and approximately 32 square feet of sign area. The sign would have an approximate north front yard setback from Lincoln Avenue of only 30 inches but it would not be located within a 10-foot triangular setback required for corner vision clearance under § 770-29 of the Zoning Ordinance.

For comparison, monument signs with a maximum height of five feet, a maximum sign area of 30 square feet, and a minimum setback of 10 feet are permitted within Sign Area 1.

According to § 607-22 (D)(1), the Planning Commission is authorized to grant variances from the strict provisions of the Sign Ordinance "...whereby extraordinary or exceptional conditions of such property, the strict application of the regulations enacted would result in peculiar or exceptional practical difficulties to or exceptional undue hardship upon the owner of such property, provided such relief may be granted without substantial detriment to the public good and without substantially impairing the intent and purpose of this article."

In order to grant the requested variance, the Planning Commission must determine that the variance, either as proposed by the applicant or as otherwise determined by the Planning Commission based upon the record, is the minimum relief necessary in order to achieve substantial justice. Further, in granting a variance, the Planning Commission must state the grounds upon which it justifies the granting of a variance as outlined below:

The applicant must present evidence to show that, if this article is applied strictly, unnecessary hardship and/or practical difficulties to the applicant will result, and that all eight of the following findings of fact are met:

- (a) *That the property could not reasonably accommodate a sign permitted at that specific location;*
- (b) *That the appeal results from exceptional and unique circumstances peculiar to the property and not from general neighborhood or City-wide conditions, including unique architectural character of the building or innovative techniques that are determined not to be detrimental to the building or the character of the area;*
- (c) *That the sign requested by the variance would not alter the essential character of the area;*
- (d) *That the alleged hardships and practical difficulties, or both, which will result from a failure to grant the variance include substantially more than mere inconvenience or monetary concern;*
- (e) *That the alleged hardship has not been created by the petitioner or any other person presently having an interest in the property;*
- (f) *That the article's restrictions unreasonably prevent the owner from using the property for a permitted land use;*
- (g) *That the variance would do substantial justice to the applicant as well as to other property owners in the immediate vicinity that would be affected by granting the variance, considering the public benefits intended to be secured by this article, and the individual hardship that will be suffered by a failure of the Planning Commission to grant a variance; and*
- (h) *That a lesser relaxation than that requested would not give substantial relief to the owner of the property or be more consistent with justice to other property owners.*

The Planning Commission must therefore consider one of the following actions: 1) approve the requested variance; 2) approve the requested variance with conditions; or 3) deny the requested variance.

cc: Greg Cooksey, 6300 Hughes, LLC
Elton Topalli, Sign & Engraving II, Inc.

It is recommended that the petitioner or a representative attend the June 14, 2016 Planning Commission meeting. The meeting starts at 7:30 p.m. in the City Commission chambers on the 3rd floor of City Hall.



Royal Oak
**COMMUNITY
DEVELOPMENT**

4/11/16

Signs & Engraving II, Inc.
Elton Topalli
100 West 13 Mile
Madison Heights, MI 48071

Re: 332 East Lincoln Royal Oak, MI 48067 Multiple Tenant Sign

Mr. Topalli,

Based upon the Code of the City of Royal Oak, Chapter 607, Signs, Sign Area #4, the application to install a freestanding sign at the above referenced address has been **denied** due to the following:

Chapter 607-12, Permitted Signs In Sign Area 4, Section A (2), does not permit freestanding signs.

If you have any questions, please do not hesitate to contact me at (248) 246-3230. If you have questions regarding a sign variance, please contact Doug Hedges at (248) 246-3281.

Sincerely,
City of Royal Oak

Kevin Duhonich
Deputy Building Official

HED-400 Flush Face Sign System

Double Post, Double Face, Non-Illuminated, Standard Painted Finish

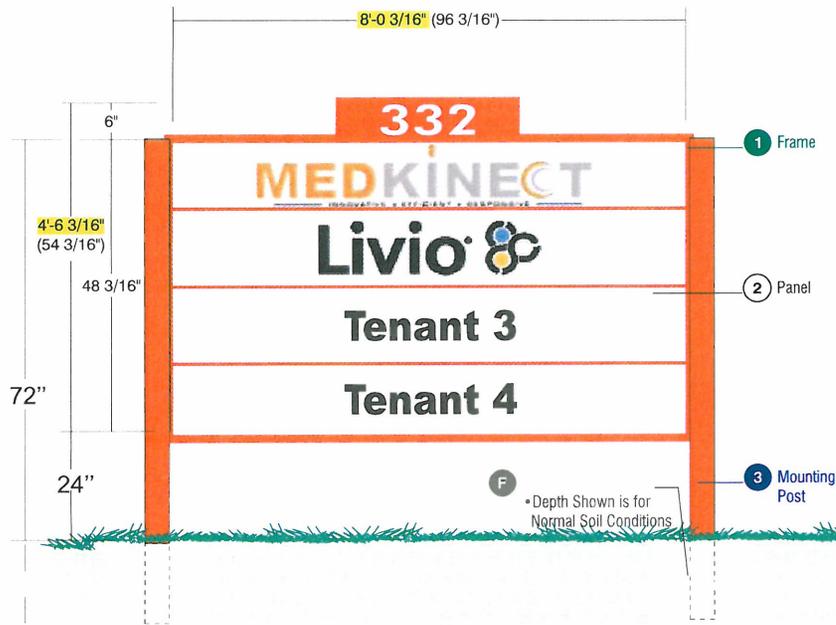
Sign and Laser Engraving

Quantity: 01

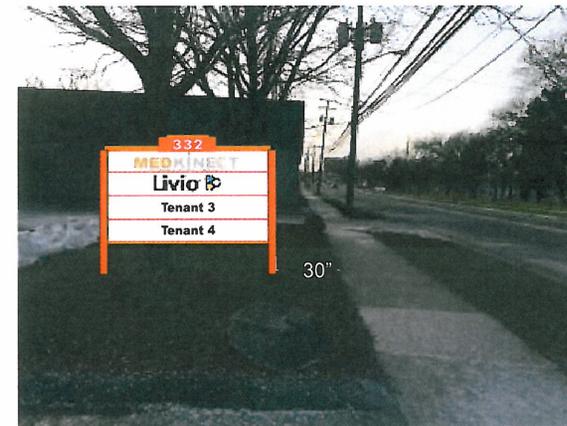
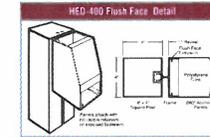
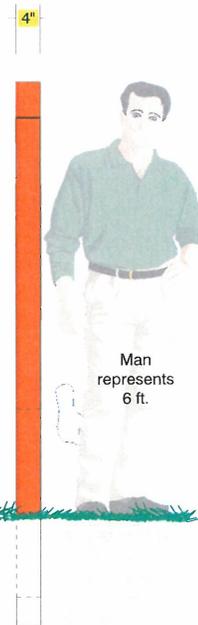
Top View



Side A & B



Side View



Page 1 of 1

Drawing Number	27162-SL
Drawn By	ABS
Date	03.14.16
System	HED-400FF
Quote #	297720
Scale	1/2"=1'
Sales Rep.	Steve Main
Revisions	

Approved



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Ph.248-577-6191
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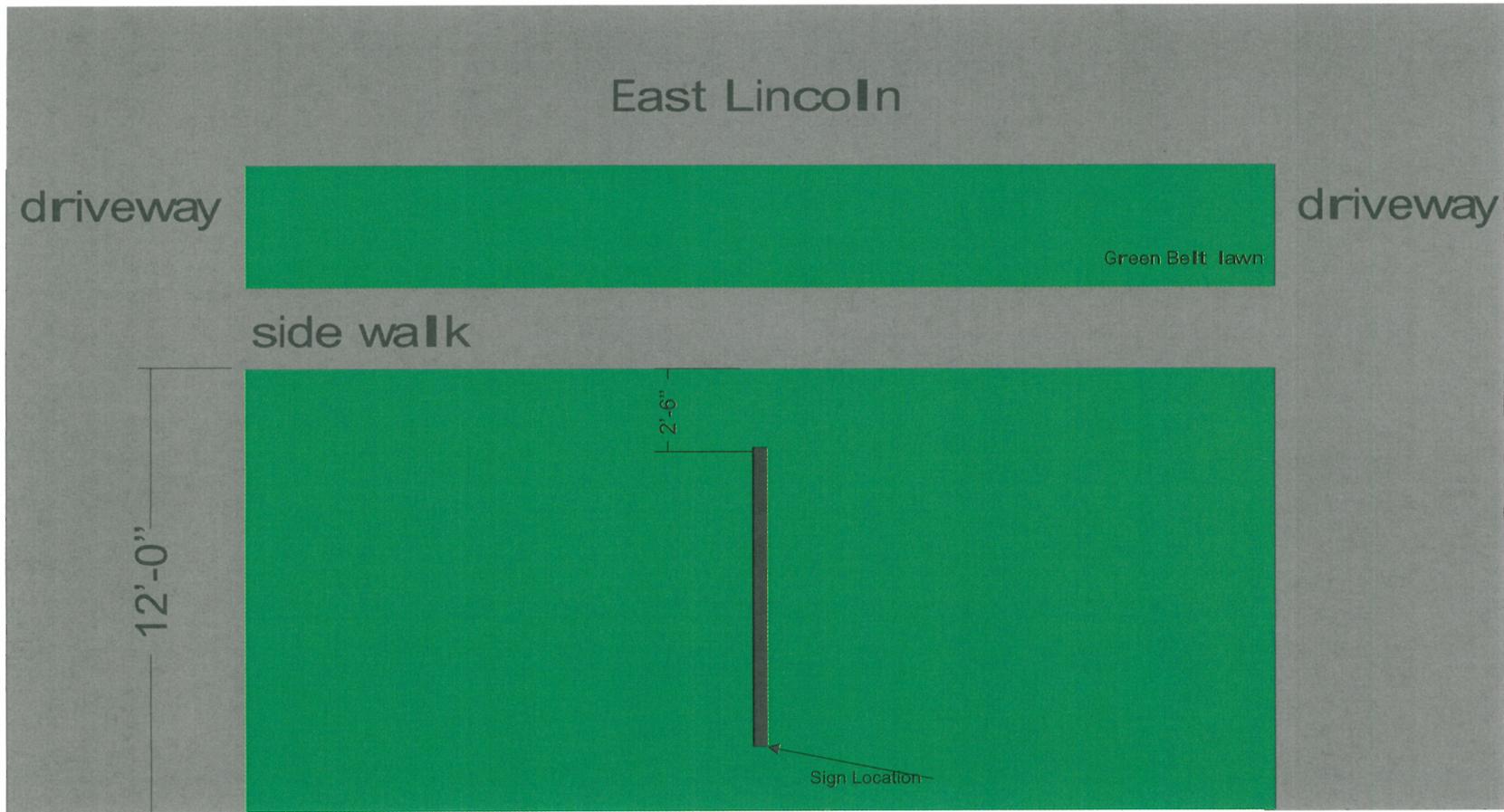

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 100 West 13 Mile Madison Hts. MI 48071
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 Fax. 248-577-6453
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