



CITY OF MADISON HEIGHTS ZONING BOARD OF APPEALS APPLICATION

Application No.:

P2BA24-0001

Date Filed:

(This application must be typed)

SUBMIT TWO ORIGINAL COPIES

1. **Petitioner:** Name: Aver Sign Co
Address: 1285 Wordsworth
City: Ferndale State: MI Zip: 48220
Telephone: 248-542-0678 Fax: _____
Email: averpermit@aversign.com
2. **Petitioner's Interest in Property:** contractor
3. **Property Owner:** (Attach list if more than one owner)
Name: Antoun Property Group LLC
Address (Street): 32680 Concord Drive
City: Madison Heights State: MI Zip: 48071
Telephone: 586-864-8516
Email: avisantoun@gmail.com
4. **Property Description:**
Address: 32751 Concord Madison Heights, MI 48071
Tax Parcel #: 44 - 25 - 02 201 - 026
Legal Description - Attach if metes and bounds description.
If in a subdivision: Lot #: _____
Subdivision name: _____
Lot size: _____
Size of proposed building or addition: _____
5. **Present Zoning of Property:** B3 **Present Use:** commercial
6. **Action Requested:** (Check the appropriate section and attach response on separate sheets)

☐ **APPEAL OF AN ADMINISTRATIVE DECISION (Administrative Review)**

The applicant requests the Board of Appeals to reverse/modify the _____
decision/interpretation of Article _____, Section _____. The decision should be
reversed/modified because: (On a separate sheet describe in detail the nature of the problem, the
reason for the request and the desired remedy)

ZONING BOARD OF APPEALS APPLICATION

6. **Action Requested:** (Continued) (Check the appropriate section and attach response on separate sheets)

☒ **VARIANCE**

Request is hereby made for permission to erect ☒ alter ☐ convert ☐ or use ☐ a
Digital ground/monument sign

Contrary to the requirements of Section(s) 10.511 of the Zoning Ordinance 252
_____ of the Zoning Ordinance
_____ of the Zoning Ordinance

The following questions must be answered fully on a separate sheet of paper:

- A. Clearly explain the variance desired and how the proposed building and/or use is contrary to the Zoning Ordinance.
- B. Explain the special conditions and circumstances that exist which are peculiar to the land, structure or building involved and which are not applicable to other lands, structures or buildings in the same district. (Note: Your district includes all areas of the City sharing a zoning designation with your property. If your zoning classification were B-1 (Local Business) your district would include all City lands zoned B-1.)
- C. Explain why the literal interpretation of the provisions of this ordinance deprives you of rights commonly enjoyed by others in the same zoning district.
- D. Did the special conditions and/or circumstances result from your actions?
- E. Can you use the property in a manner permitted by the Ordinance if a variance is not granted? Is this the minimum variance you need to use the property in the way you want?
- F. Will granting the variance change the essential character of the area?

☐ **TEMPORARY PERMIT**

Applicant is requesting a Temporary Use ☐ and/or a Temporary Structure ☐

Describe in detail the proposed use or structure and the length of time requested.

☐ **INTERPRETATION OF ORDINANCE LANGUAGE IN SECTION _____**

Describe in detail the nature of the requested interpretation.

☐ **PUBLIC UTILITY BUILDING**

Describe in detail the proposed use or structure.

☐ **OTHER ACTION**

Describe in detail action requested.

7. **CASE HISTORY**

Have you been denied a permit for a building, sign or use on this property? Yes ☐ No ☒

Has there been any previous appeal involving these premises? Yes ☐ No ☒

(If yes, provide character and disposition of previous appeals.)

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Application No.:

PZBA 24001

Applicant(s) and property owner(s) hereby consent to city staff, board and commission members, and contractors to access the property for purposes of evaluating the site for the requested action(s).

FOR THE OWNER:

Signature

Printed Name

Date

Aric Antoun2/16/24**FOR THE APPLICANT IF NOT THE OWNER:**

Signature

Printed Name

Date

Brian K Stakley1/29/24

Note: A notarized letter of authority or a power of attorney may be substituted for the original signature of the owner.

Notices are to be sent to the Applicant ☒ Owner ☒

ATTACHED HERETO, AND MADE PART OF THIS APPLICATION, ARE THE FOLLOWING: (All required items must be submitted with this application)

- ☐ 1. Two copies of drawings of Site Plan (no larger than 11"x 17") drawn to scale and containing all necessary dimensions and all features involved in this appeal, including measurements showing open space on abutting properties. PDF
- ☐ 2. Dimensioned elevations of all buildings involved in the requested variance.
- ☐ 3. All required responses to above items.
- ☐ 4. Building permit application if applicable.
- ☐ 5. Letter of authority if applicable
- ☐ 6. Applicable fees:
 - A. Variance Review (Single Family) \$300.00
 - B. Variance Review (Dimensional) \$400.00 plus \$300 per variance
 - C. Use Variance Review \$1,000.00
 - D. Appeal of Administrative Decision \$400.00

OFFICE USE ONLY

APPROVALS

Approved for hearing by City Attorney

Approved for hearing by C.D.D.

Reviewed by Site Plan Committee

INTER-DEPARTMENTAL NOTIFICATION

Community Development Department

Fire Department

Department of Public Services

ZONING BOARD OF APPEALS

APPROVED:

DENIED:

FEE: \$

PAID:

RECEIPT NO.



February 12, 2024

Corrigan BP

32751 Concord Drive

Madison Heights, MI 48071

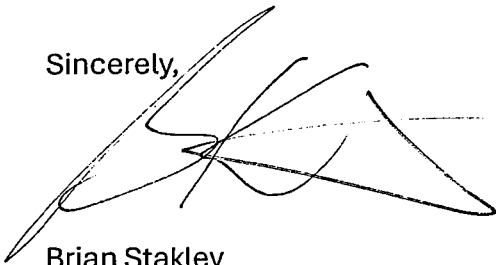
RE: Hardship answers for 32751 Concord Drive

1. We are seeking to erect a BP monument sign east of Concord Drive with an OAH of 9.52 ft and max square footage of 76.17. Ordinance 10.511 allows a max OAH of 8 ft and max area of 60 sqft. We are asking the city to forgive 1.52ft in OAH and 16.17 sqft of maximum sign area.
2. The existing topography presents unique challenges that impact the ability to advertise with standard sized signage. This property is setback further than surrounding properties and is obstructed from view by both T-Mobile and Verizon. The size and configuration of this property differs from surrounding plots. These constraints limit options for sign placement. A variance is required to ensure optimal visibility without encroaching on adjacent properties. Finally, the flow of traffic from key vantage points, including 14 Mile road, is distinctive to this property. To effectively and safely capture the attention of vehicular and pedestrian traffic a variance is essential to ensure visibility within the unique traffic patterns.
3. A comprehensive analysis of signage within the shared zoning district reveals that others, similarly situated, have been granted signs exceeding 8 ft in height.

The literal interpretation of the ordinance, restricting OAH to 8 ft would place an undue restriction on the rights of owners of this property when compared to their neighbors.

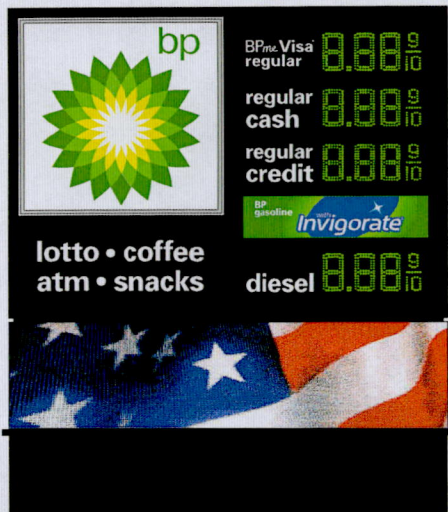
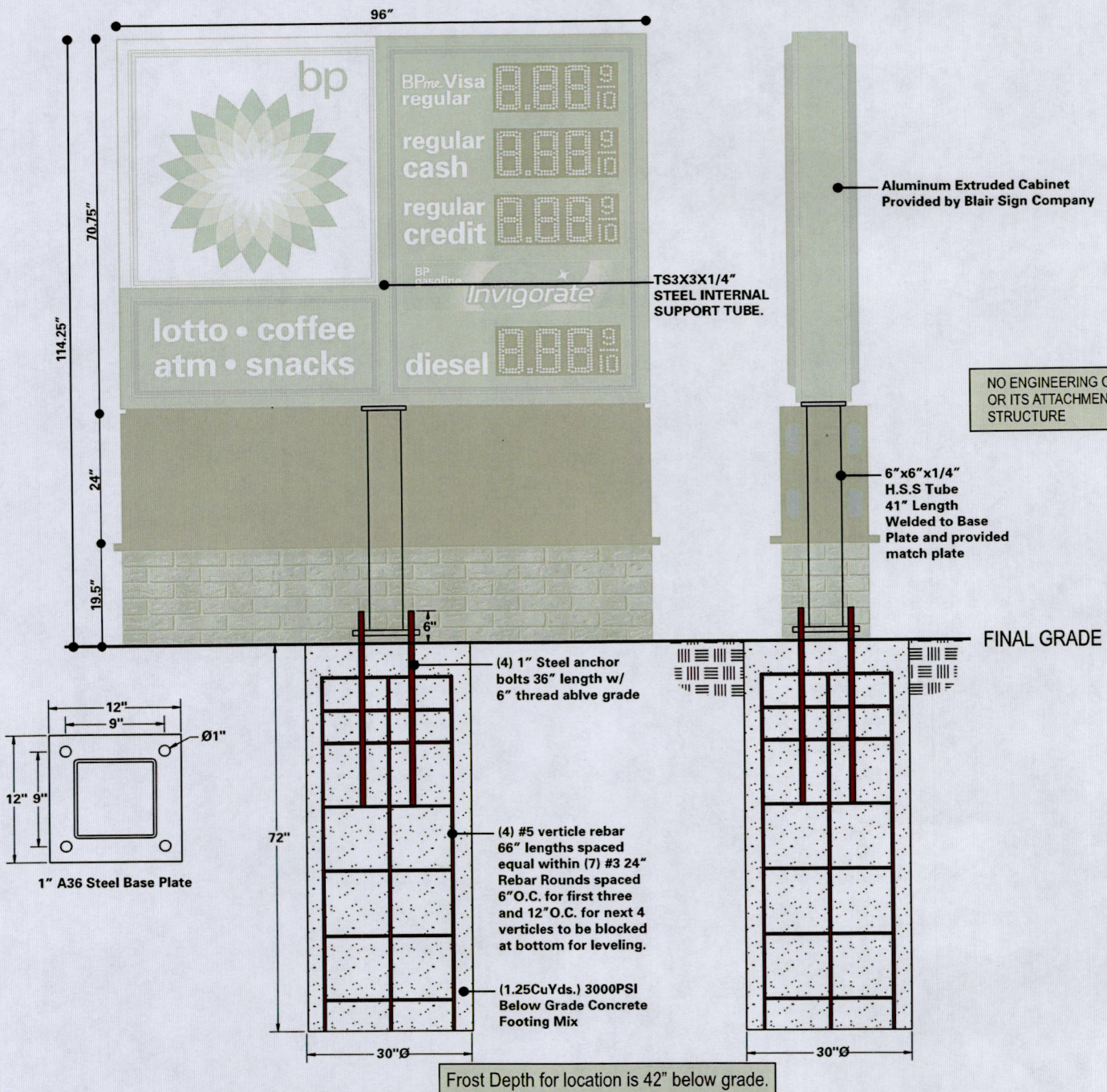
4. These special conditions and/ or circumstances were not the result of any action by the owner of said property. The property has had significant improvements and renovations over the past 2 years. The need for a more prominent and impactful signage solution is due to the limitations unique to the property as mentioned in #3 above. This decision stems from a commitment to promote our brand and business growth.
5. Without the requested variance, we would be limited in utilizing the property in a manner consistent with the current zoning ordinance. Strict adherence to the ordinance would greatly impede the ability to advertise the business through outdoor signage. Without a variance visibility within the community and the overall effect on Business Operations would be disparate. This would restrict the ability to attract customers and compete effectively with others in the district. The variance requested is the minimum necessary to operate the property in a matter consistent with other businesses in the district.
6. The requested variance strikes a fair balance between the business needs of the property and the broader community interests. If granted there would not be any adverse impact on the essential character of the area.

Sincerely,

A handwritten signature in black ink, appearing to read 'Brian Stakley', with a large, stylized flourish extending from the end of the signature.

Brian Stakley

Permit Agent



*EMC and
footing by others*

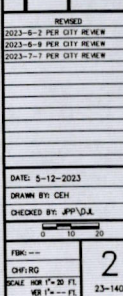
Aver
SIGN COMPANY

1285 Wordsworth St. Ferndale MI. 48220
Tel: 248-542-0675 Web: aversign.com

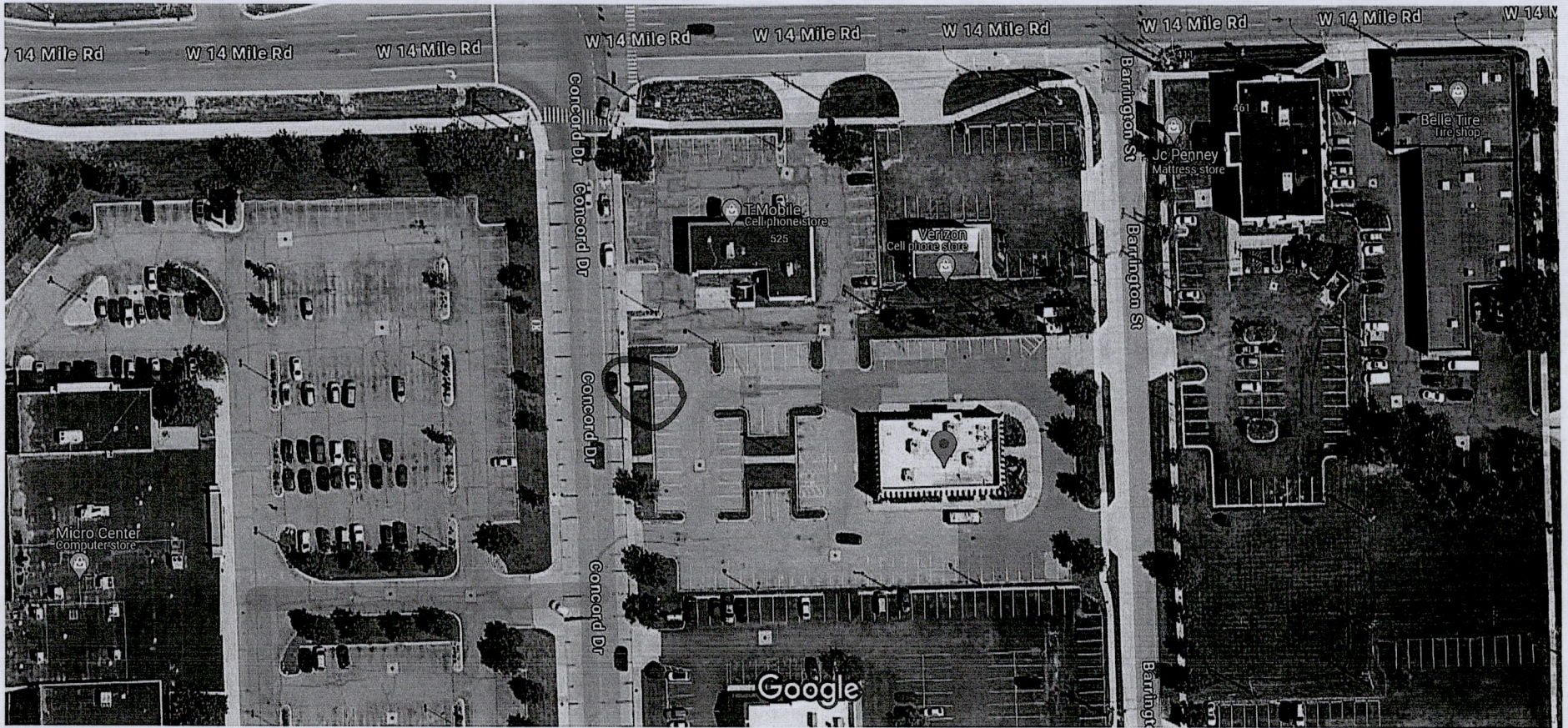
Customer: Corrigan Oil

Site Address: 32751 Concord Dr.
Madison Heights MI.

WO#: 27202 Rev Date: 01/19/24



Google Maps 32751 Concord Dr



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N

proposed
sign

Imagery ©2024 Airbus, CNES / Airbus, Maxar Technologies, U.S. Geological Survey, Map data ©2024 50 ft