

ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department
(248) 347-0415

Case No. PZ13-0070 (Socialife Bistro)

Location: 44175 W. 12 Mile Rd. Ste. G-157

Zoning District: RC, Regional Center

The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES 2524.b to allow outdoor seating year round. The property is located east of Cabaret Drive and south of 12 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 2524.b, Outdoor seating shall be permitted between March 1st and November 30th with all furniture and fixtures including, but not limited to, tables, chairs and waste receptacles removed from the exterior premises after November 30th. Outdoor seating shall not be the primary seating of the restaurant.

City of Novi Staff Comments:

The applicant is requesting to allow unlimited use of a partially protected outdoor seating year round. As the Zoning Ordinance typically limits "outdoor seating" to a period beginning March 1st through November 30th of each year, an exception would be required for extended use. Staff supports the extension of the outdoor dining season to the full year as the proposed facility is unique, complies with fire and building safety codes, and outside of what would typically be considered and used as "outdoor seating".

Standards for Granting a Non-use Variance:

A variance may be granted if a practical difficulty exists due to all of the following:

- There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty because _____.
- The need is not self-created because _____.
- Strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably _____.

prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome because_____.

- The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district because_____.
- The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district because_____.



PLAN REVIEW CENTER REPORT

November 1, 2013

Planning Review

Socialite Bistro

JSP 13-55

Petitioner

Etchen Gumma Limited

Review Type

Preliminary/Final Site Plan

Property Characteristics

- Site Location: 44175 W. 12 Mile Rd. Ste. G-157 (Section 15)
- Site Zoning: RC, Regional Center
- Site Use(s): Proposed restaurant at existing 12 Mile Crossing at Fountain Walk shopping center

- Outdoor Seating
- Area Size: Approx. 1,008 sq. ft.
- Plan Date: 10-03-13

Project Summary

The applicant is proposing to occupy a vacant space at 44175 12 Mile Road at the 12 Mile Crossing at Fountain Walk Shopping Center, south of 12 Mile Road and west of Novi Road. An outdoor seating area is also proposed. The applicant is proposing sixteen 4-top tables and two 2-top tables with seating for 68 diners. A gated enclosure is also proposed.

Recommendation

Approval of the Preliminary/Final Site Plan **is recommended** at this time. Following approval of the City Council after a recommendation from the Planning Commission, the applicant should address the comments indicated below and submit plans for Stamping Set approval.

Review Standards

This project was reviewed for conformance with the Zoning Ordinance with respect to Article 25 (General Provisions), Section 2524 (Outdoor Restaurants), and any other applicable provisions of the Zoning Ordinance and Building Code. Please see the items listed below for information pertaining to requirements. Items to address on the plan set are highlighted in bold text.

Items to be Addressed

1. Outdoor seating is permitted between March 1st and November 30th. The plans indicate 'year-round exterior patio dining'. **The applicant should either add a note to the plan set indicating the permitted timeframe for outdoor seating and remove the reference to year-round dining or seek a variance from the Zoning Board of Appeals.**
2. **The following notes should be added:**
 - "Chairs and tables will be made of a quality durable material."
 - "The hours of operation of the outside dining area will be consistent with the hours of operation of the indoor dining area."
3. Facade Waiver: Per the facade review letter, a waiver is required for the overage of fabric awnings. Proposals in the RC District must receive the approval of the City Council

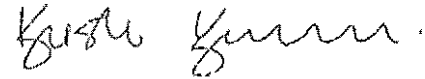
after a review and recommendation by the Planning Commission. This matter will be scheduled for an upcoming Planning Commission meeting.

Stamping Set Approval

Stamping sets are still required for this project. After having received all of the review letters from City staff and the approval of the required waiver from the City Council, the applicant should make the appropriate changes on the plans and submit 6 size 24" x 36" copies with original signature and original seals, to the Community Development Department for final Stamping Set approval. Plans addressing the comments in all of the staff and consultant review letters should be submitted electronically for informal review and approval prior to printing Stamping Sets. If the applicant elects to seek a variance from the Zoning Board of Appeals to permit 'year-round exterior patio dining', Stamping Sets shall not be submitted until said variance is granted. If the variance is not approved, plans shall be revised accordingly.

Special Inspection Requirement

Stamping Set approval gives the applicant the ability to set up their outdoor seating furniture on March 1st according to the arrangement in the approved site plan. Outdoor seating is permitted from March 1st until November 30th. The applicant will need to request a Special Inspection each year to confirm that the outdoor seating area conforms to the approved plan. Contact the Community Development Department at 248-347-0415 to request a Special Inspection.





Phone: (248) 380-6523
 E-Mail: drn@drnarchitects.com
 Web: drnarchitects.com

DRN & ASSOCIATES, ARCHITECTS, PC

50850 Applebroke Dr., Northville, MI 48167



October 31, 2013

City of Novi Planning Department
 45175 W. 10 Mile Rd.
 Novi, MI 48375-3024

Attn: Ms. Barb McBeth – Director of Community Development

Re: FACADE ORDINANCE – Final Site Plan Review
Socialite Bistro, PSP13-0163
 Façade Region: 1, Zoning District: RC, Building Size: <5,000 S.F.

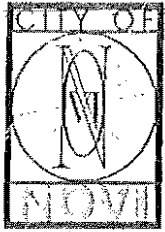
Dear Ms. McBeth:

The following is the Façade Review for Preliminary Site Plan Approval of the above referenced project based on the drawings prepared by Marygrove Awnings. The percentages of materials proposed for each façade are as shown on the table below. The maximum percentages allowed by the Schedule Regulating Façade Materials of Ordinance Section 2520 are shown in the right hand column. Materials in non-compliance with the Façade Schedule, if any, are highlighted in **bold**.

Façade Region	North West	North	South	East & West	Ordinance Maximum (Minimum)
Brick (existing)	8%	9%	Unaltered	Unaltered	100% (30% Min)
Standing Seam Metal (existing)	12%	12%	Unaltered	Unaltered	25%
EIFS (existing)	62%	64%	Unaltered	Unaltered	25%
Fabric Awnings (proposed)	18%	15%	Unaltered	Unaltered	10%

This application is considered a façade alteration as described in Section 2520.6 of the Ordinance. The proposed alteration consists of adding a Fabric Awnings to the south facade of the existing building. A sample of the proposed fabric was provided indicating that the awning will be black colored.

Amount \$300



cityofnovi.org

ZONING BOARD OF APPEALS
CITY OF NOVI
 Community Development Department
 (248) 347-0415

RECEIVED

NOV 27 2013

For Official Use Only

CITY OF NOVI
COMMUNITY DEVELOPMENT

ZBA Case No: P2130070 ZBA Date: Jan Payment Received: \$ 300 (Cash)
 Check # 3015 Include payment with cash or check written to "City of Novi."

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal,

Applicant's Name Steve ROMAYK / Jeff YATOOMA Date 11.24.13

Company (if applicable) SOCIETY 617 Socialite Bldg

Address Walled Lake post office City/MI-10 Lake ST ZIP 48390
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: STVSWAY@aol.com

Phone Number (248) 431-8717 FAX Number (248) 694-0974

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 4415 W. 12 MILE ROAD Novi MI, 6157 ZIP 48377

2. Sidwell Number: 5022 - _____ may be obtained from Assessing Department (248) 347-0485

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

4. Zoning: RA R-1 R-2 R-3 R-4 RT RM-1 RM-2 MH OS-1 OS-2 OSC OST RC OTHER

5. Property Owner Name (if other than applicant) _____

6. Does your appeal result from a Notice of Violation or Citation Issued? Yes No

7. Indicate ordinance section(s) and variances requested:

- 1. Section 2524 Variance requested Year-Round Exterior Patio Dining
- 2. Section _____ Variance requested _____
- 3. Section _____ Variance requested _____
- 4. Section _____ Variance requested _____

8. 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.

P2130070

9. State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):

See Attachment

10. 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:

See Attachment

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.

Variance approval is void if permit not obtained within one hundred eighty (180) days of date of decision.

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


All property owners' within 300 feet of ZBA property address will be notified of the ZBA case and variance requests.

PLEASE TAKE NOTICE:

The undersigned hereby appeals the determination of the Building Official/ Inspector or Ordinance Officer made

Construct New Home/Building Addition to Existing Home/Building Accessory Building

Use Signage Other


Applicants Signature

11-27-13
Date

Property Owners Signature

Date

DECISION ON APPEAL

Granted Denied Postponed by Request of Applicant Board

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

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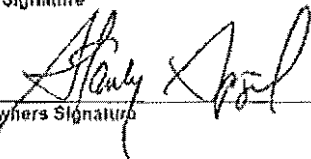
Use Signage Other

Applicants Signature

Date

Property Owners Signature

Date



11-26-13

DECISION ON APPEAL

_____ Granted _____ Denied _____ Postponed by Request of Applicant _____ Heard _____

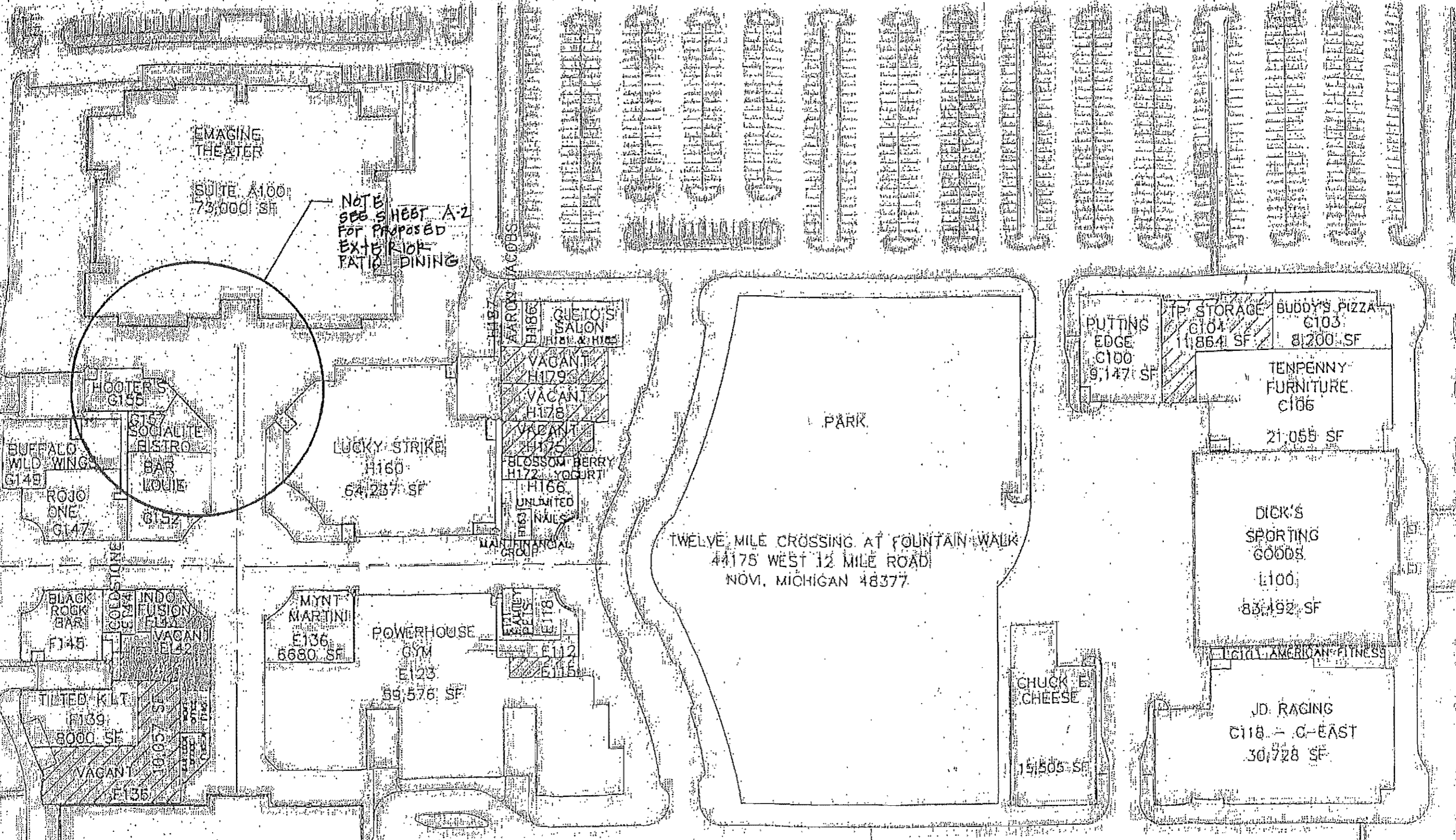
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Chairperson, Zoning Board of Appeals

Date

We are proposing an extended period for year round operation. Our outside seating area will be enclosed café style with electric heat, which does not interfere with pedestrian traffic. Primary seating is interior which will also be the smoking section, the outside area will be non smoking only, by keeping the outside area open we will be able to service smokers and non smokers year round.

44175 WEST 12 MILE ROAD NOVI, MICHIGAN 48377



IMAGINE
THEATER

SUITE A100
73,000 SF

NOTE
SEE SHEET A-2
FOR PROPOSED
EXTERIOR
PATIO DINING

H187
BARON JACOBS

H186
QUETO'S
SALON
H186 & H185

VACANT
H179

VACANT
H178

VACANT
H175

BLOSSOM BERRY
H172 YOGURT

H166
UNLIMITED
NAILS

H163
MAN FINANCIAL
GROUP

PARK

TWELVE MILE CROSSING AT FOUNTAIN WALK
44175 WEST 12 MILE ROAD
NOVI, MICHIGAN 48377

PUTTING
EDGE
C100
9,147 SF

TP STORAGE
C104
11,864 SF

BUDDY'S PIZZA
C103
8,200 SF

TENPENNY
FURNITURE
C106

21,055 SF

DICK'S
SPORTING
GOODS
L100

83,192 SF

AMERICAN FITNESS

JD. RACING
C118 - C-EAST
30,728 SF

CHUCK E.
CHEESE

15,503 SF

HOOGER'S
G155

BUFFALO
WILD WINGS
G149

ROJO
ONE
G147

SOCIALITE
BISTRO
G157

BAR
KOUJE
G152

LUCKY STRIKE
H160
64,237 SF

BLACK
ROCK
BAR
F145

VACANT
E142

TILTED KILT
F139
8,000 SF

VACANT
E135

MYNT
MARTINI
E136
5,680 SF

POWERHOUSE
GYM
E123
59,576 SF

QUALITY
PETS
E118

VACANT
E112
E115

