



innovative by nature

Bryan K. Barnett
Mayor

September 10, 2013

City Council

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District 1

Adam Kochenderfer
District 2

Greg Hooper
District 3

Nathan Klomp
District 4

James Rosen
At-Large

Mark Tisdell
At-Large

Michael Webber
At-Large

Alltech Signs
8318 Helen
Center Line, MI 48015

Re: 546 S. Rochester Rd. – Psychic Specialist

Dear Applicant:

We are in receipt of your application for a sign permit for the above referenced location. However, your application does not meet the requirements as set forth in our Ordinance for the following reasons:

Rochester Hills Code of Ordinances Section 134-107 Nonconforming Signs states:

Any signs existing on April 16, 1997 or on the effective date of any amendment to this Chapter that does not comply with all of the Sections of this Chapter, including any amendments shall be considered nonconforming. Nonconforming signs shall be subject to the following:

- (5) Discontinuation of nonconforming signs: Amortization nonconforming signs or sign structures shall be removed when:
 - a. The name of the premises or business the nonconforming sign pertains to changes.
 - b. The nature of type of premises or business the nonconforming signs pertains to require a new Certificate of Occupancy.

ITEM #1

The submitted sign permit application is requesting a name /panel change to an already existing nonconforming sign to identify Psychic Specialist.

ITEM #2

The submitted sign permit application is requesting a sign change to a nonconforming sign for a new business, which requires a new Certificate of Occupancy.

Therefore, we are unable to approve your application and are issuing this letter of denial. You may revise your plans and application in compliance with the Ordinance by eliminating the violations. This will expedite the permit application process by not requiring a hearing by the Sign Board of Appeals.

An appeal of this denial or variance may be requested of Rochester Hills Sign Board of Appeals. If you decide to appeal this matter before the Sign Board of Appeals, a filing fee and your application for a public hearing before the Sign Board of Appeals must be submitted to the Planning Department within (10) days of the date of this letter. Your application will then placed on the next available agenda.

If you seek a variance, a variance to this chapter may be allowed by the sign board of appeals only in cases when competent, material and substantial evidence in the official records of the appeal supports all the following affirmative findings:

1. Special Conditions. That special conditions or circumstances 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.
2. Deprivation of Rights. That literal interpretation or application of the provisions of this chapter would deprive the applicant of property rights commonly enjoyed by other properties in the same district under the terms of this chapter.
3. Substantial Justice. That allowing the variance will result in substantial justice being done, considering the public benefits intended to be secured by this chapter, the individual difficulties that will be suffered by a failure of the sign board to grant a variance, and the rights of others whose property would be affected by the allowance of the

variance, and will not be contrary to the public purpose and general intent and purpose of this chapter.

If you have any questions regarding the above, please feel free to contact the Building Department at (248) 656-4615.

Sincerely,

BUILDING DEPARTMENT

A handwritten signature in black ink, appearing to read 'm d mcl', with a long horizontal line extending to the right.

Mark G. McLocklin
Housing & Zoning Ordinance Inspector

MGM/cn
c: **Planning Department**