



COMMUNITY DEVELOPMENT DEPARTMENT

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals **ZONING BOARD APPEALS DATE:** March 15, 2016

REGARDING: Pioneer Pharmacy (PZ16-0007), 39575 Ten Mile Road
BY: Charles Boulard, Building Official

I. GENERAL INFORMATION:

Applicant
New Generation Signs

Variance Type
Sign Variance

Property Characteristics
Zoning District: OS-1, Office Service District
Parcel #: 50-22-25-226-016

Request
The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES; Section 28-5(3) to allow installation of an additional sign in the form of a 45 square foot wall sign on the building. An existing ground sign with tenant panels is allowed and is currently approved and installed.

II. STAFF COMMENTS:

Proposed Changes
The applicant is requesting additional signage for a new business within an existing multi-tenant facility which already has a ground sign with existing tenant panels. Concern exists that every tenant will expect additional signage

III. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we **grant** the variance in Case No. **PZ16-0007**, sought by _____, for _____ because Petitioner has shown practical difficulty requiring _____.

 - (a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because _____.
 - (b) The property is unique because _____.

- (c) Petitioner did not create the condition because _____
_____.
- (d) The relief granted will not unreasonably interfere with adjacent or surrounding properties because _____
_____.
- (e) The relief is consistent with the spirit and intent of the ordinance because _____
_____.
- (f) The variance granted is subject to:
 - 1. _____.
 - 2. _____.
 - 3. _____.
 - 4. _____.

2. I move that we **deny** the variance in Case No. **PZ16-0007**, sought by _____,
for _____ because Petitioner has not shown practical difficulty requiring _____.

- (a) The circumstances and features of the property including _____ are not unique because they exist generally throughout the City.
- (b) The circumstances and features of the property relating to the variance request are self-created because _____
_____.
- (c) The failure to grant relief will result in mere inconvenience or inability to attain higher economic or financial return based on Petitioner's statements that _____.
- (d) The variance would result in interference with the adjacent and surrounding properties by _____.
- (e) Granting the variance would be inconsistent with the spirit and intent of the ordinance to _____
_____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0423.

Charles Boulard
Building Official
City of Novi



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ZONING BOARD OF APPEALS APPLICATION

RECEIVED

FEB 03 2016

CITY OF NOVI
COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$300⁰⁰
 Meeting Date: 3-15-16
 ZBA Case #: PZ 16-0007

I. PROPERTY INFORMATION (Address of subject ZBA Case)	
PROJECT NAME / SUBDIVISION <u>PIONEER PHARMACY</u>	
ADDRESS <u>39575 W. 10 MILE RD</u>	LOT/SIUTE/SPACE #
SIDWELL # <u>50-22- 25 -226 - 016</u>	May be obtain from Assessing Department (248) 347-0485
CROSS ROADS OF PROPERTY <u>W 10 MILE (W) OF HABBERTY RD.</u>	
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input checked="" type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input checked="" type="checkbox"/> SIGNAGE
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	

II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS <u>maxie@1signs mich. com</u>	CELL PHONE NO. <u>1-586-876-6706</u>
NAME <u>MARK ZOLTOUSKI / STEVE RAYES</u>		TELEPHONE NO. <u>1-586-759-5706</u>	
ORGANIZATION/COMPANY <u>NEW ELEGATION SIGNS DBA I SIGNS DESIGN</u>		FAX NO. <u>1-586-759-5724</u>	
ADDRESS <u>1177 E 8 MILE RD.</u>	CITY <u>WARREN</u>	STATE <u>MI</u>	ZIP CODE <u>48089</u>



B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <u>ednuzaid@yahoo.com</u>	CELL PHONE NO. <u>1-248-730-6748</u>
NAME <u>EDNA ZAID</u>		TELEPHONE NO. <u>1-248-360-2145</u>	
ORGANIZATION/COMPANY <u>HOLLY HILL PROFESSIONAL VILLAGE</u>		FAX NO. <u>1-248-360-6068</u>	
ADDRESS <u>39575 W. 10 MILE RD.</u>	CITY <u>NOVI</u>	STATE <u>MI</u>	ZIP CODE <u>48375</u>

III. ZONING INFORMATION	
A. ZONING DISTRICT	
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____	
B. VARIANCE REQUESTED	
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED: <u>For additional wall sign with EXISTING TENANT PANEL ON GROUND SIGN.</u>	
1. Section <u>28-5(3)</u>	Variance requested _____
2. Section _____	Variance requested _____
3. Section _____	Variance requested _____
4. Section _____	Variance requested _____

IV. FEES AND DRAWINGS	
A. FEES	
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input checked="" type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600	
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF	
<ul style="list-style-type: none"> • Dimensioned Drawings and Plans • Site/Plot Plan • Existing or proposed buildings or addition on the property • Number & location of all on-site parking, if applicable 	<ul style="list-style-type: none"> • Existing & proposed distance to adjacent property lines • Location of existing & proposed signs, if applicable • Floor plans & elevations • Any other information relevant to the Variance application



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE

A. VARIANCE (S) REQUESTED

DIMENSIONAL USE SIGN

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

B. SIGN CASES (ONLY)

Your signature on this application indicates that you agree to install a Mock-Up Sign ten-(10) days before the schedule ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be 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.

C. ORDINANCE

City of Novi Ordinance, Section 3107 - Miscellaneous

No order of the Board permitting the erection of a building shall be valid for a period longer than one-(1) year, unless a building permit for such erection or alteration is obtained within such period and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

No order of the Board permitting a use of a building or premises shall be valid for a period longer than one-hundred and eighty-(180) days unless such use is established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of a building such order shall continue in force and effect if a building permit for such erection or alteration is obtained within one-(1) year and such erection or alteration is started and proceeds to completion in accordance with the terms of such permit.

D. APPEAL THE DETERMINATION OF THE BUILDING OFFICIAL

PLEASE TAKE NOTICE:

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

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE
 ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT

Applicant Signature *[Signature]* Date 2/1/16



B. PROPERTY OWNER

If the applicant is not the owner, the property owner must read and sign below:
The undersigned affirms and acknowledges that he, she or they are the owner(s) of the property described in this application, and is/are aware of the contents of this application and related enclosures.

Property Owner Signature *Edna Zaid* Date 2-1-16

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

Chairperson, Zoning Board of Appeals _____ Date _____



Community Development Department

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

**REVIEW STANDARDS
SIGN VARIANCE**

The Zoning Board of Appeals (ZBA) will review the application package and determine if the proposed Sign Variance meets the required standards for approval. In the space below, and on additional paper if necessary, explain how the proposed project meets each of the following standards. (Increased costs associated with complying with the Zoning Ordinance will not be considered a basis for granting a Sign Variance.)

Standard #1. Extraordinary Circumstances or Conditions.

Explain how the circumstances or physical conditions applying to the property that do not apply generally to other properties in the same Zone District or in the general vicinity. Circumstances or physical conditions may include:

- a. **Shape of Lot.** A sign could not be placed in the location required by the Zoning Ordinance due to the shape, topography or other physical conditions of the lot or due to the location of an existing structure.

Not Applicable Applicable If applicable, describe below:

and/or

- b. **Environmental Conditions.** A sign could not be placed in the location required by the Zoning Ordinance without removing or severely altering natural features, such as trees, topography, drainage courses or encroaching upon stormwater facilities.

Not Applicable Applicable If applicable, describe below:

and/or

- c. **Abutting Property.** A sign could not be reasonably seen by passing motorists due to the configuration of existing buildings, trees, signs or other obstructions on an abutting property.

Not Applicable Applicable If applicable, describe below:

- d. **Scale of Building or Lot Frontage.** A sign that exceeds permitted dimensions for area and/or height could be considered appropriate in scale due to the length of the building frontage (wall sign only) or length of the lot frontage (ground sign only).

Not Applicable Applicable

If applicable, describe below:

- e. **Not Self-Created.** Describe the immediate practical difficulty causing the need for the Variance was not created by the applicant or any person having an interest in the sign, sign structure, or property.

Not Applicable Applicable

If applicable, describe below:

Standard #2. Limit Use of Property.

Explain how the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

WALL SIGN IS NEEDED TO HAVE PROPER IDENTIFICATION TO THE BUSINESS THAT THE GROUND ID DOES NOT TOTALLY SATISFY. OTHER NEARBY BUSINESSES HAVE MULTIPLE SIGN IDENTIFICATIONS

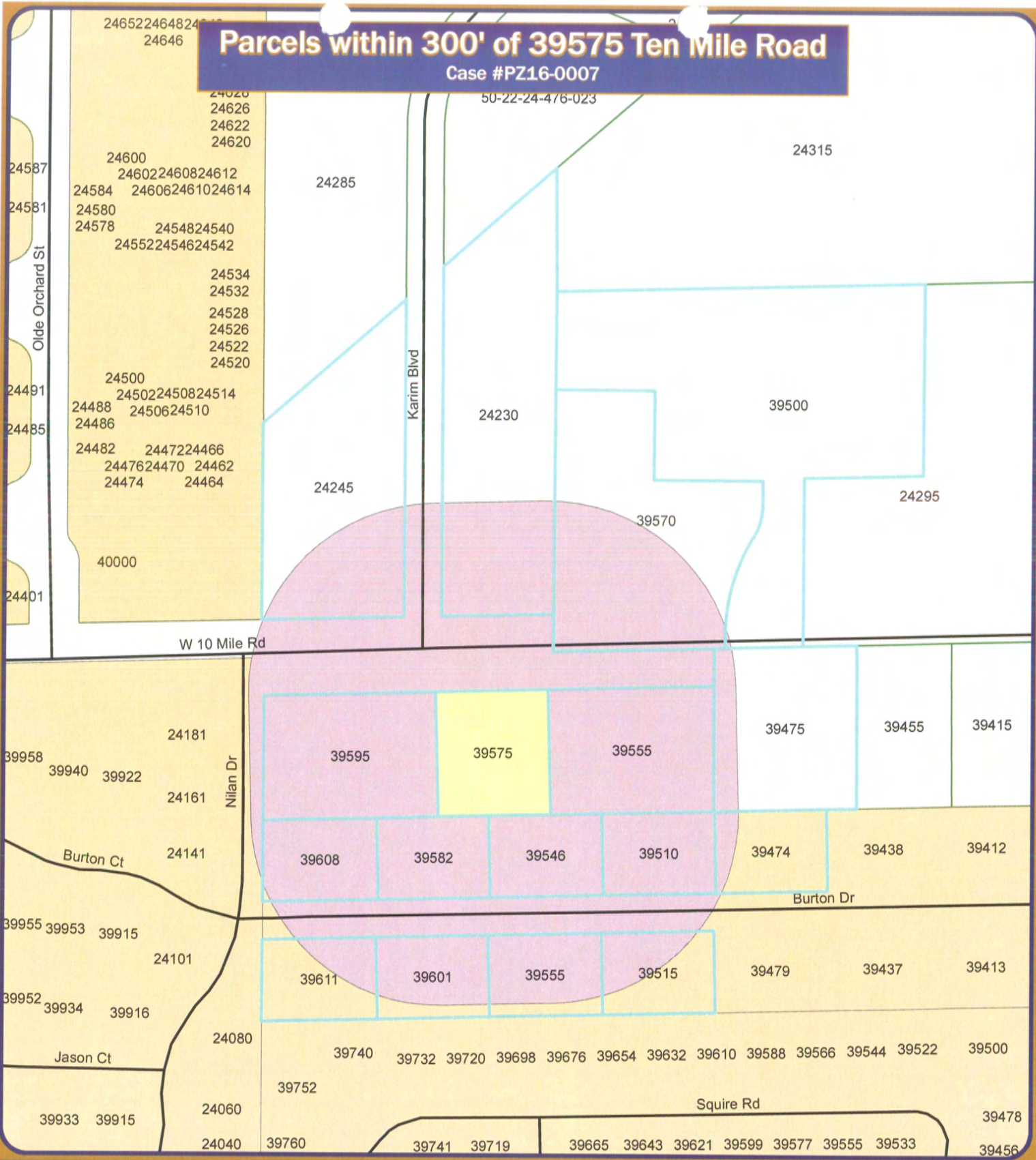
Standard #3. Adverse Impact on Surrounding Area.

Explain how the Sign Variance will not result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit and intent of this chapter.

THE ALLOWANCE OF THIS WALL SIGN WILL NOT HAMPER OR INTERFERE OTHER NEIGHBORING BUSINESSES IN THE AREA.

Parcels within 300' of 39575 Ten Mile Road

Case #PZ16-0007



Map Author: Jon Gartha
 Date: February 5, 2016
 Project: Address List for 22-25-226-016
 Version #: 1.0

Amended By:
 Date:
 Department:

MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

Map Legend

- 300' Buffer
- Subject Property
- Tax Parcel

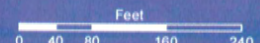
Municipality

- Novi
- Novi Twp.



City of Novi

IT Department
 GIS Division
 45175 Ten Mile Rd
 Novi, MI 48375
cityofnovi.org



1 inch = 208 feet



36'

Building
39575 W. 10 Mile Rd.
Suite 204
Novi, MI 48146
313-283-9070

channel letter sign in the wall
Parking Lot

20'



Channel Letter Sign 40' sq/ft

Pioneer Pharmacy Channel Letter
24"x15" Red Color.

Box Sign 12"x10" Yellow Color
With Blue Color Vinyl.

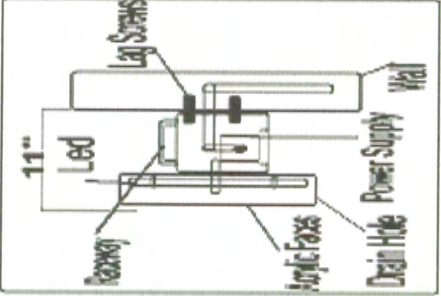
Acrylic red & white Faces.
Mach The Wall Raceway

Black Jewelite Trim.

Aluminum Can 0.040" Thick

UL LED Light Red & White.

UL Power Supply Outdoor.





January 28, 2016

New Generation Signs
DBA | Signs & Designs
11177 E. Eight Mile Road
Warren, Michigan 48089

RE: PIONEER PHARMACY – 39575 TEN MILE ROAD SUITE 204

The sign permit application for the above location has been reviewed and denied.

Sign Code Section 28-5(3) permits one sign per building or parcel. There currently exists a tenant ground sign on this parcel so no additional wall signs are permitted.

Should you wish to request consideration of a variance from the Zoning Board of Appeals you may do so by contacting the board secretary, Stephanie Ramsay at 248-735-5638.

Please contact me at 248-347-0438 with any questions.

Sincerely,

CITY OF NOVI

A handwritten signature in blue ink, which appears to read 'Jeannie Niland', is positioned above the typed name.

Jeannie Niland
Ordinance Enforcement Officer