



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 14, 2023

REGARDING: 43480 West Oaks Drive, Parcel # 50-22-15-200-105 (PZ23-0002)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Burlington – Allied Signs

Variance Type

Sign Variance

Property Characteristics

Zoning District: This property is zoned Regional Center (R-C)

Location: south of 12 Mile, west of Novi Road

Parcel #: 50-22-15-200-105

Request

The applicant is requesting a variance from the City of Novi Sign Ordinance Section 28-5(b)(1)a to be allowed a 250.027 sq ft illuminated wall sign (65 square feet maximum allowed, variance of 185.027 square feet). This property is zoned Regional Center (R-C)

II. STAFF COMMENTS:

III. RECOMMENDATION:

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

I move that we **grant** the variance in Case No. **PZ23-0002**, sought by **Allied Signs**, for _____ because Petitioner has shown practical difficulty including _____ requiring _____ on the basis of any of the following:

- a. That the request is based upon circumstances or features that are exceptional and unique to the property and do not result from conditions that exist generally in the city or that are self-created including

_____.

b. That 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 because

_____.

c. That the grant of relief would be offset by other improvements or actions, such as increased setbacks or increased landscaping, such that the net effect will result in an improvement of the property or the project

_____.

d. That construction of a conforming sign would require the removal or significant alteration of natural features on the property because_____

_____.

e. the grant of relief 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 because_____

_____.

The variance granted is subject to:

1. _____.

2. _____.

3. _____.

4. _____.

I move that we deny the variance in Case No. PZ23-0002, sought by **Allied Signs**, for _____ because Petitioner has not shown practical difficulty because: _____.

- a. That the request is based upon circumstances or features that are not exceptional and/or unique to the property and/or that result from conditions that exist generally in the city or that are self-created including _____.
- b. That the failure to grant relief will not unreasonably prevent or limit the use of the property and/or will not result in substantially more than mere inconvenience or inability to attain a higher economic or financial return because _____.
- c. That the grant of relief would not be offset by other improvements or actions, such as increased setbacks or increased landscaping, such that the net effect will not result in an improvement of the property or the project _____.
- d. That construction of a conforming sign would not require the removal or significant alteration of natural features on the property because _____.
- e. the grant of relief will result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will not result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is inconsistent with the spirit and intent of this chapter because _____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417.

Larry Butler - Deputy Director Community Development - City of Novi



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: _____	
PROJECT NAME / SUBDIVISION Burlington				Meeting Date: _____	
ADDRESS 43480 West Oaks		LOT/SIUTE/SPACE #		ZBA Case #: PZ _____	
SIDWELL # 50-22-15 - 200 - 105		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY 12 Mile & Novi Rd.					
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 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 Kim@alliedsignsinc.com		CELL PHONE NO.	
NAME Jim Fields				TELEPHONE NO. 586-791-7900	
ORGANIZATION/COMPANY Allied Signs, Inc.				FAX NO. 586-791-7788	
ADDRESS 33650 Giftos		CITY Clinton Twp.		STATE MI	ZIP CODE 48375
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		CELL PHONE NO.	
NAME Raymond Merk				TELEPHONE NO. 248-350-9900	
ORGANIZATION/COMPANY RPT West Oaks II, LLC				FAX NO.	
ADDRESS 20750 Civic Center Dr. Suite 310		CITY Southfield		STATE MI	ZIP CODE 48076
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 checked="" 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:					
1. Section <u>28-5(a)</u> Variance requested <u>To be allowed a 250.02 sqft wall sign.</u>					
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 establish within such a period; provided, however, where such use permitted is dependent upon the erection or alteration or 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

JIM FIELDS

Date

1/10/2023

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

Date

1/4/2023

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



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ZONING BOARD OF APPEALS VARIANCE APPLICATION CHECKLIST

The following items are required for a complete Variance application. Incomplete applications will be returned.

Signed Application Form

Complete the Zoning Board of Appeals application form. Application must be signed by the applicant and the property owner (if different).

Response to Variance Review Standards – Dimensional, Use, or Sign

Select the applicable Review Standards for the requested Variance and complete in full. Use additional paper if needed. If you don't know which Review Standards to complete, call the Community Development Department at 248.347.0415 for guidance.

Dimensioned Site Plan (1 copy & 1 digital copy submitted as a PDF)

- Existing or proposed buildings or additions on the property.
- Number and location of all on-site parking spaces.
- Existing and proposed distances to adjacent property lines.
- Location of existing and proposed signs, if applicable.
- Any other information relevant to the Variance application.

Dimensioned Drawings and Plans (1 copy & 1 digital copy submitted as a PDF)

- Floor plans and elevations with all proposed buildings and additions.
- All existing and proposed signs on the property (photographs may be used).
- For use variances, include floor plan showing the existing and proposed layout and functions of each area.
- For multi-family residential structures or projects, a summary showing the existing and proposed number of dwelling units by type (efficiency, one-bedroom, two-bedroom, etc.)

Other Helpful Information – Optional (1 copy & 1 digital copy submitted as a PDF)

- Photographs of the lot or structure that shows the special conditions or circumstances described in the application.
- Photographs or maps that show how other properties in the area enjoy the same type of property rights related to the Variance.
- Letters of support from the neighbors who would be most affected by your request.

Fee (make check payable to the City of Novi)

Single Family Residential (Existing) \$200 (With Violation) \$250
Single Family Residential (New) \$250
Multiple/Commercial/Industrial \$300 (With Violation) \$400
Signs \$300 (With Violation) \$400
House Moves \$300
Special Meetings (At discretion of Board) \$600

Additional Information

In the course of reviewing the application, the Planning Department staff may request additional information from the applicant.



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**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:

Due to the size of the lease frontage in addition with the building setback, there is a lack of identification and a larger sign is needed for maximum visibility.

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:

The requested variance is not self created. The ordinance was written to only allow (1) sign despite the size and shape of said parcel or building.

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.

Failure to grant relief won't prevent the use of the property but will be burdensome with a smaller sign and lack of identification.

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 proposed sign will not interfere with surrounding properties as it is just a wall sign that has been designed to be esthetically cohesive with the overall building design and surrounding area.

Front Store Elevation (Opt. 1)

S1-3

Proposed Signage = **250.02 SF**

Relevant Signage Code

Wall Signs permitted to by 150 sq ft

Sign Type

LED Channel Letters
Front-Lit

Mounting

Flush Mounted

Color Palette

Face: White Acrylic

Trim Cap & Returns: Black

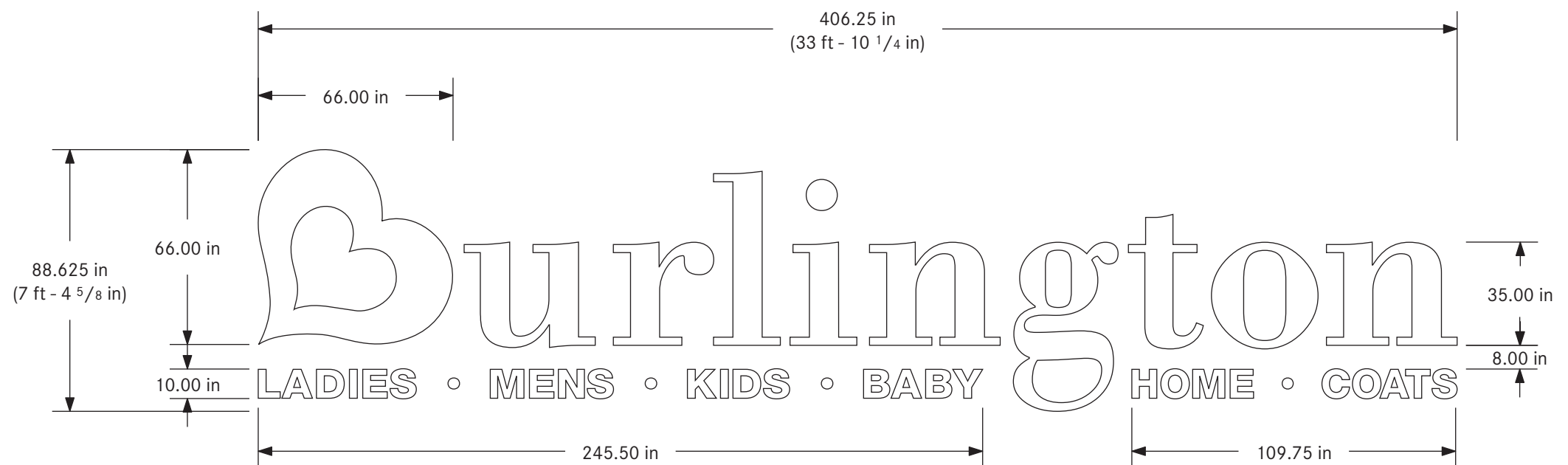
Project No. 17487
 Project Burlington Signage Package
 Location 43480 West Oaks Drive
 Novi, MI 48377
 West Oak II Shopping Cente
 Orig. Draft 07.14.2022
 Project Mgr. N/A
 Designer IDV
 Rev. Art Samuel Graebner
 Rev. Date 12.20.2022
 Page Rev. 007
 Rev. Details Added measurements

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IDENTITI
 425 N Martingale Rd
 18th Floor
 Schaumburg, IL 60173
 O ce 847.301.0510
 identiti.net



All dimensions and site conditions to be verified by field survey and approved by Burlington prior to installation



LEGEND

Front Elevation **S1**

Site Plan - Overview

Project No. 17487
 Project Burlington Signage Package
 Location 43480 West Oaks Drive
 Novi, MI 48377
 West Oak II Shopping Centre
 Orig. Draft 07.14.2022
 Project Mgr. N/A
 Designer IDV
 Rev. Art N/A
 Rev. Date 00.00.00
 Page Rev. 000
 Rev. Details N/A

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