



# COMMUNITY DEVELOPMENT DEPARTMENT

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

## ZONING BOARD OF APPEALS STAFF REPORT

FOR: City of Novi Zoning Board of Appeals      ZONING BOARD APPEALS DATE: May 10, 2016

West Oaks I (PZ16-0018), Parcel 50-22-15-200-101

BY: Charles Boulard, Building Official

### I. GENERAL INFORMATION:

**Applicant**

Ramco Gershenson

**Variance Type**

Sign Variance

**Property Characteristics**

Zoning District:                      RC (Regional Center)  
Parcel #:                                50-22-15-200-101

**Request**

The applicant is requesting a variances from the CITY OF NOVI, CODE OF ORDINANCES; Section 28-5.2a and 28-5(1)d.2 to allow installation of an oversize and over height replacement shopping center sign with up to (5) tenant panels. The proposed sign would be 36 feet high (15 feet allowed) and 147 square feet (100 square feet allowed).The property is zoned RC.

### II. STAFF COMMENTS:

**Proposed Changes**

The applicant is requesting approval to install an oversize and over height shopping center sign replacing the existing sign and allowance for 5 panels to cover tenants in the building. The existing sign was approved under previous variances 97-063a and 846 for 147 square feet and a 35 foot height, but with a different configuration.

### 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. **PZ16-0018**, 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 if 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. **PZ16-0018**, 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 Petitioners 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

**Zoning Board Of Appeals**  
Ramco Gershenson  
Case # PZ16-0018  
City of Novi

May 10, 2016  
Page 3 of 3





# 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

\_\_\_\_\_  
Date

### 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

## 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  
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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:

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.**

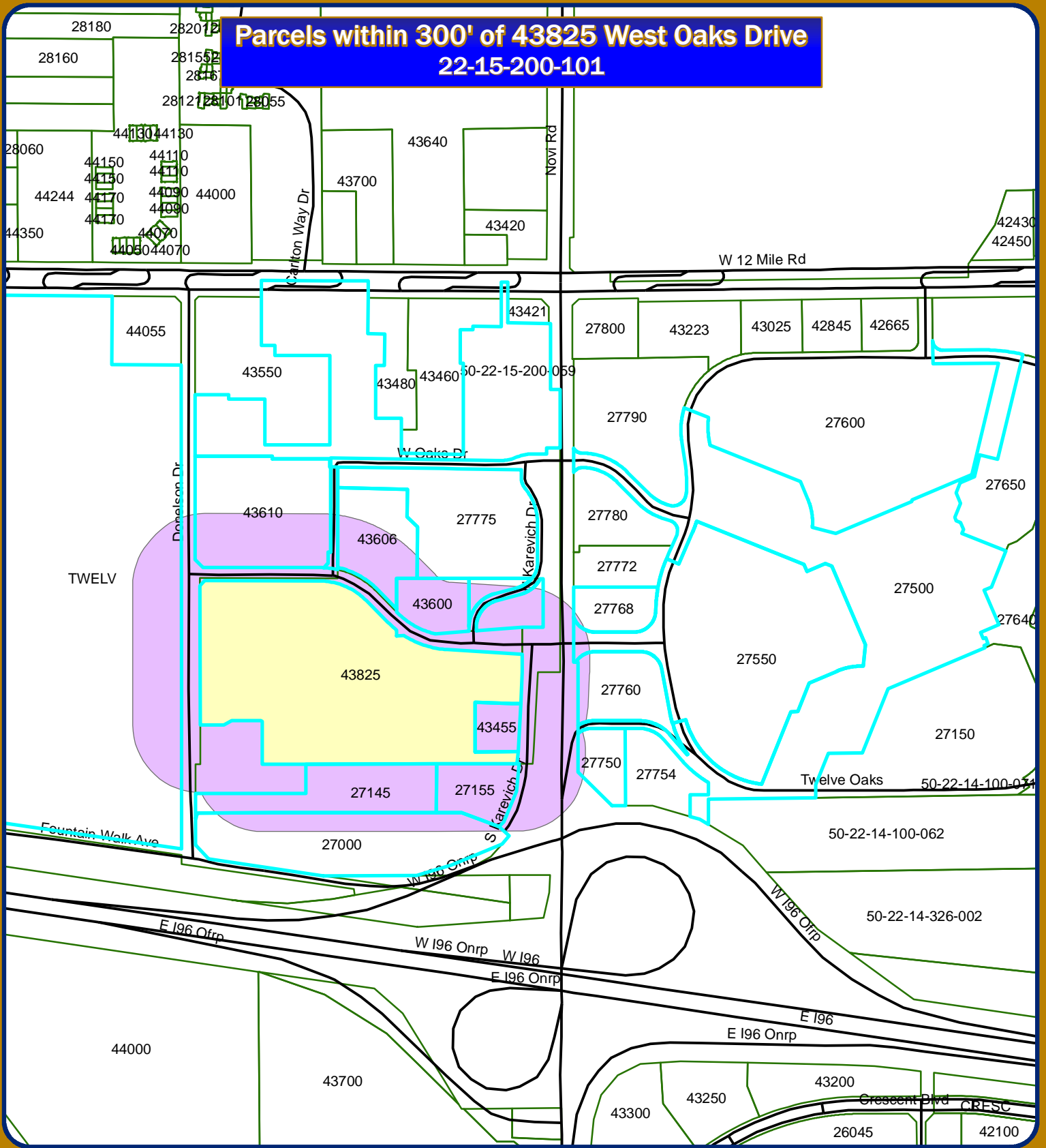
Explain how the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

## **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.



# Parcels within 300' of 43825 West Oaks Drive 22-15-200-101



Map Author: Jon Gartha  
 Date: April 15, 2016  
 Project: Address List for 22-15-200-101  
 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

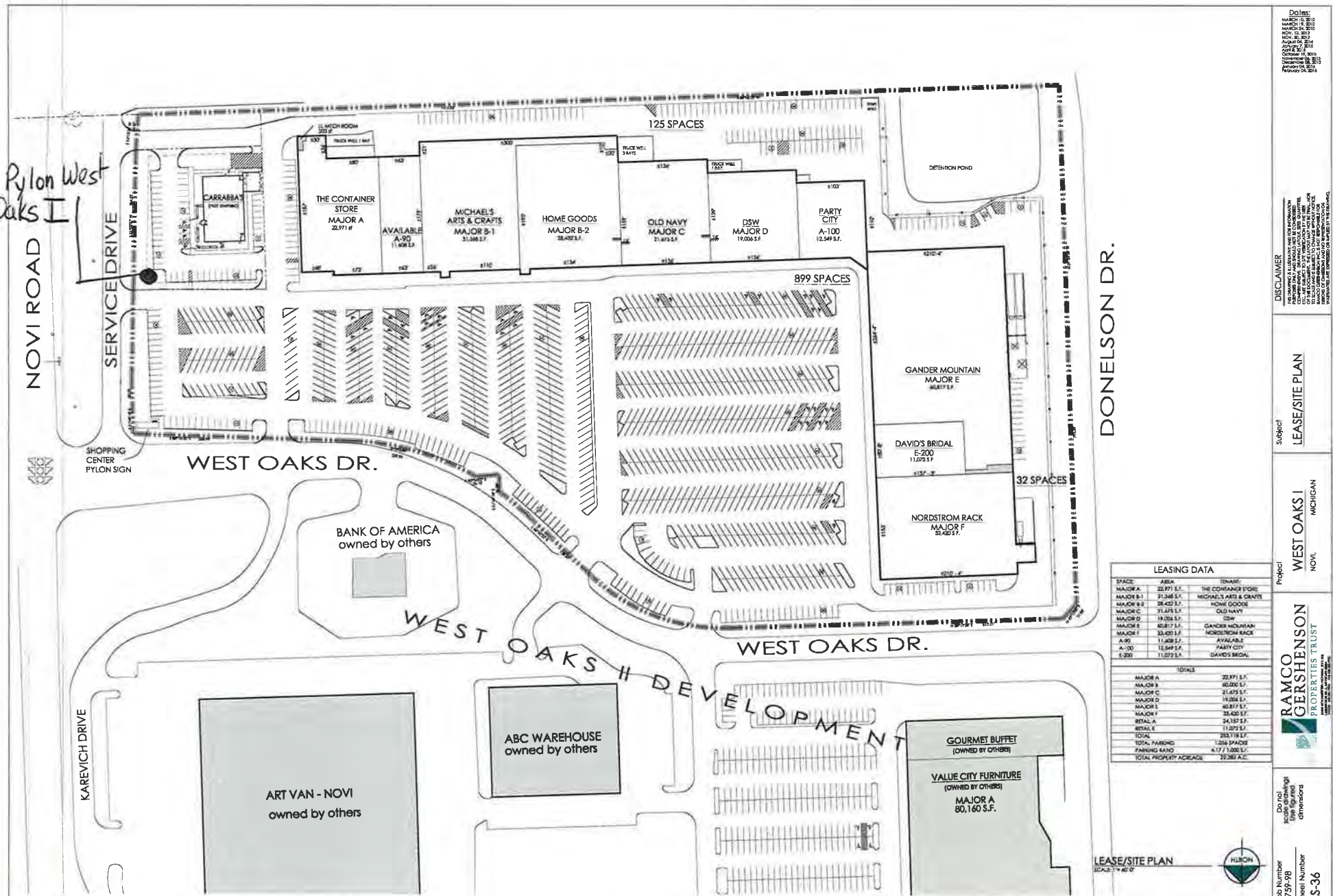
IT Department  
GIS Division  
45175 Ten Mile Rd  
Novi, MI 48375  
[cityofnovi.org](http://cityofnovi.org)

Feet

0 120 240 480 720

1 inch = 583 feet

Pylon West Oaks II



**LEASING DATA**

SPACE	AREA	TENANT
MAJOR A	22,971 S.F.	THE CONTAINER STORE
MAJOR B-1	31,246 S.F.	MICHAEL'S ARTS & CRAFTS
MAJOR B-2	28,422 S.F.	HOME GOODS
MAJOR C	21,475 S.F.	OLD NAVY
MAJOR D	19,008 S.F.	DSW
MAJOR E	40,817 S.F.	GANDER MOUNTAIN
MAJOR F	35,425 S.F.	NORDSTROM RACK
A-00	11,808 S.F.	AVAILABLE
A-100	12,549 S.F.	PARTY CITY
E-200	11,073 S.F.	DAVID'S BRIDAL
<b>TOTALS</b>		
MAJOR A	22,971 S.F.	
MAJOR B	60,068 S.F.	
MAJOR C	21,475 S.F.	
MAJOR D	19,008 S.F.	
MAJOR E	40,817 S.F.	
MAJOR F	35,425 S.F.	
RETAIL A	24,187 S.F.	
RETAIL E	11,073 S.F.	
TOTAL	255,718 S.F.	
TOTAL PARKING	1,256 SPACES	
PARKING 44%*	4.17 / 1,000 S.F.	
TOTAL PROPERTY ACRES	22.288 AC.	

Do not include setbacks or dimensions

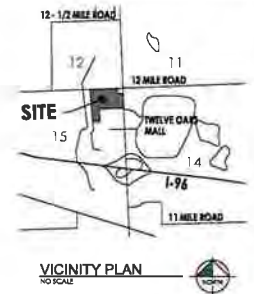
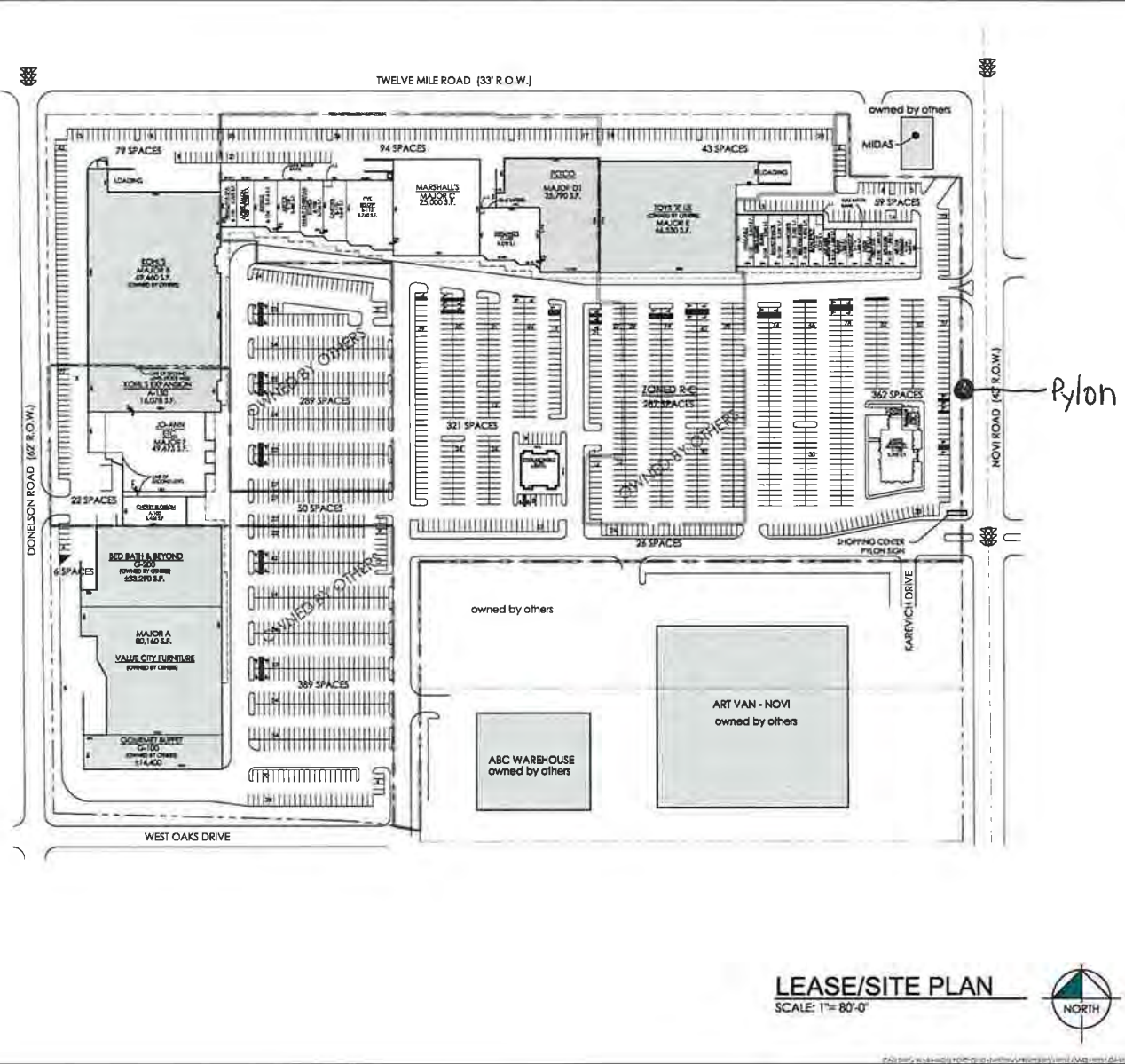
Job Number: 2759-98  
Sheet Number: LS-36

Project: WEST OAKS I, NOV, MICHIGAN

Disclaimer: THE DRAWING IS A PRELIMINARY AND NOT FOR CONSTRUCTION. IT IS SUBJECT TO CHANGE WITHOUT NOTICE. THE CLIENT ACCEPTS THE RISK OF INACCURACY AND LIABILITY FOR ANY ERRORS OR OMISSIONS. THE DRAWING IS THE PROPERTY OF THE ENGINEER AND SHALL NOT BE REPRODUCED OR TRANSMITTED IN ANY FORM OR BY ANY MEANS, ELECTRONIC OR MECHANICAL, INCLUDING PHOTOCOPYING, RECORDING, OR BY ANY INFORMATION STORAGE AND RETRIEVAL SYSTEM, WITHOUT THE WRITTEN PERMISSION OF THE ENGINEER.

Scale: 1" = 40'

RAMCO GERSHENSON ARCHITECTS, PLLC  
10000 KAREVICH DRIVE, SUITE 100  
NOVI, MI 48240-3000  
TEL: 248.463.1000  
WWW.RAMCOGERSHENSON.COM



Pylon West Oaks II

LEASING DATA		
SPACE	AREA	TENANT
MAJOR A	81,767 S.F.	SCOTT BROWN
MAJOR B	45,584 S.F.	LOWE'S
MAJOR C	20,640 S.F.	MARSHALLS
MAJOR D	33,793 S.F.	PIZZA
MAJOR E	44,824 S.F.	ZONY'S
MAJOR F	49,433 S.F.	COLOSSEUM
A-100	3,494 S.F.	CHEFFY RESTAURANT
A-101	14,878 S.F.	STYLA'S RESTAURANT
B-101	2,252 S.F.	MARLARA'S BREADS & ICE
B-102	3,330 S.F.	SPICE FACTORY
A-102	2,733 S.F.	WATER
A-103	2,450 S.F.	BEER
A-104	2,734 S.F.	FARM CHICKEN RESTAURANT
B-103	3,846 S.F.	CHURCH
B-104	3,740 S.F.	FIVE BELOW
C-101	3,278 S.F.	KIRLAND'S
C-102	2,840 S.F.	WAL-MART
C-103	2,790 S.F.	CRISTO RESTAURANT
C-104	2,720 S.F.	SACI'S PASTA
C-105	3,250 S.F.	THE MANICURI
C-106	3,850 S.F.	THE MANICURI
C-107	3,637 S.F.	HOMER'S RESTAURANT
C-108	3,300 S.F.	ANDY'S RESTAURANT
C-109	3,000 S.F.	BEER
C-110	3,400 S.F.	CHICKEN
C-111	3,100 S.F.	BEER
C-112	3,300 S.F.	FETTI'S RESTAURANT
C-113	3,300 S.F.	THE OFFSHORE
C-114	3,400 S.F.	ART VAN RESTAURANT
C-115	3,300 S.F.	CHICKEN
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C-299	3,300 S.F.	CHICKEN
C-300	3,300 S.F.	CHICKEN

LEASE/SITE PLAN  
SCALE: 1"= 80'-0"



DATE: APR. 11, 2011  
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PROJECT: WEST OAKS II  
 SECTION 15  
 SHEET: LS-48



**EXISTING**



**West Oaks I Sign Update**

**Brick Option A PROPOSED**



Folder Name: Drawings\Comps 16\Ramco-West Oaks Pylon\Drawings

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 SIGN LOCATION ADDRESS  
 SITE CONTACT PERSON

Customer Signature:  
 Date:  
 Time: 10 20 30 40 50 60/30 60 90 120 150

Scale: 1" = 70"  
 Designer: Cathy Gatz  
 Date: 2/23/16

**MLS SIGNS**  
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