

cityofnovi.org

**ZONING BOARD OF APPEALS**  
**CITY OF NOVI**  
**Community Development Department**

**Case No. PZ13-0031 26152 Ingersol Dr (Lane Bryant)**

**Location: 26152 Ingersol Drive**

**Zoning District: TC, Town Center District**

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow 2 additional wall signs of 36 square feet each located on the sides of the projecting entry structure of a retail tenant suite. The property is located north of Grand River and east of Novi Road.

**Ordinance Sections:**

CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) permits a single wall sign for each business storefront in the TC district.

**City of Novi Staff Comments:**

The applicant plans to occupy a tenant suite within the Novi Town Center development. The tenant is entitled to a single wall sign under the Novi Sign Ordinance. The request is for 2 additional wall signs (logos) of 36 square feet each proposed to be mounted on each side of the projecting entry structure. Staff cannot support the request as the failure to grant relief will not 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. In addition, the location and siting conditions of the retail suite are not unique compared with many other areas and businesses within the development.

**Standards for Granting a Sign Variance**

CITY OF NOVI, CODE OF ORDINANCES, Section 28-16 addresses Sign Variance Appeals:

- 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, specifically \_\_\_\_\_.
- 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 \_\_\_\_\_.
- The grant of relief will not result in a use of 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 of the ordinance because \_\_\_\_\_.



cityofnovi.org

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

For Official Use Only

ZBA Case No: P2130031 ZBA Date: 7/9/13 Payment Received: \$ 300 (Cash)
Check # 4652 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 JEFF KASPER / BRIAN CHASE Date 5.28.13

Company (if applicable) HARMON SIGN

Address\* 7344 W. CENTRAL City TOLSON ST OH ZIP 43067
\*Where all case correspondence is to be mailed.

Applicant's E-mail Address: JOE.SPROUSE@HARMONSIGN.COM

Phone Number (419) 841-6656 FAX Number (419) 841-7160

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 26152 FAIRBORN DR. ZIP

2. Sidwell Number: 5022 - 14351063 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 OTHER

5. Property Owner Name (if other than applicant) NOVI TOWN CENTER INVESTORS LLC

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 22.5 - ZBA Variance requested ALLOWANCE OF MORE SQUARE FOOTAGE
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.

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

SEE ATTACHED

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 ATTACHED

**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.

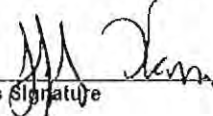
All property owners' within 300 feet of ZBA property address will be notified of the ZBA case and variance requests.

**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

5-28-13  
Date

Property Owners Signature

Date

**DECISION ON APPEAL**

Granted     Denied    Postponed by Request of Applicant  Board

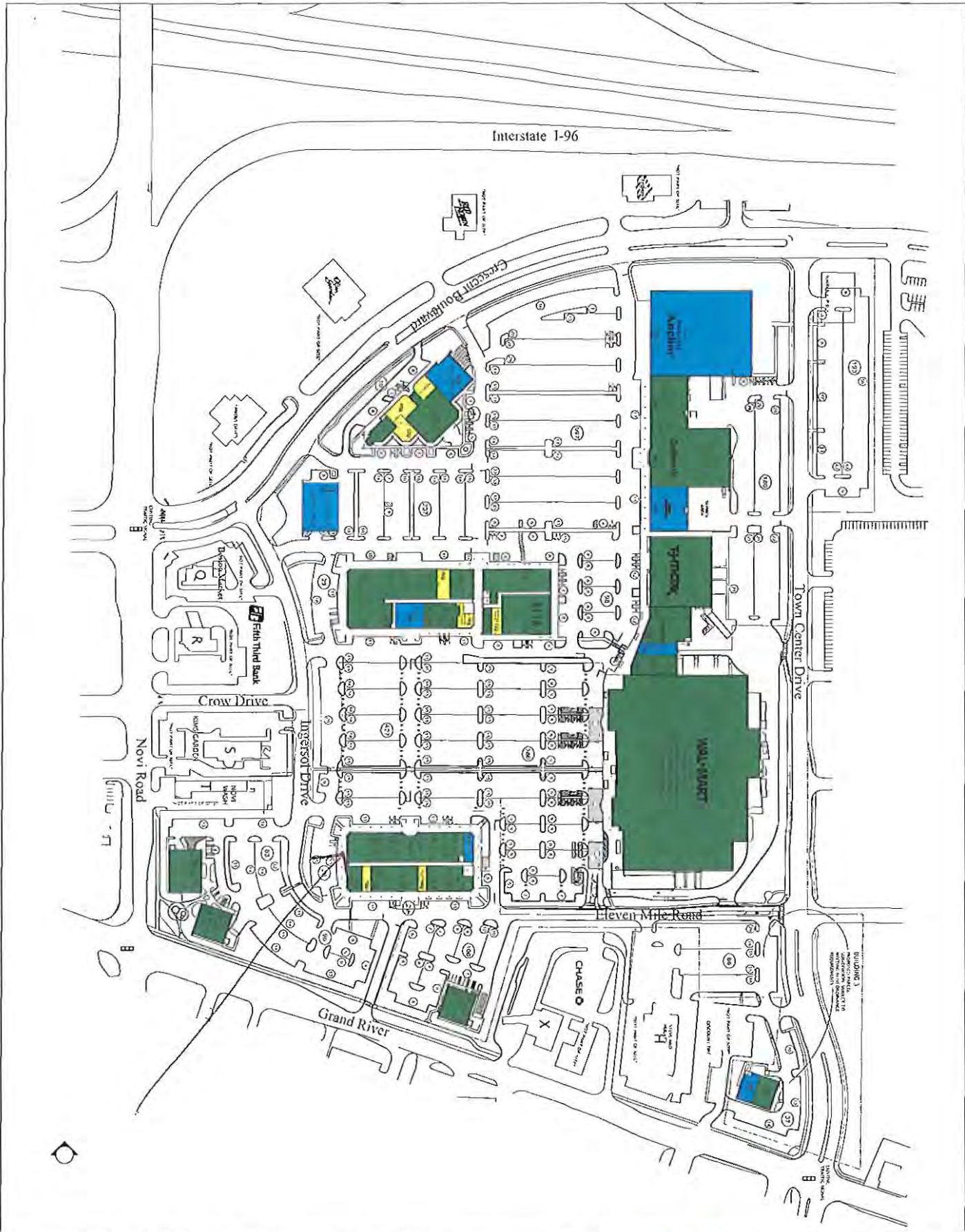
The Building Inspector is hereby directed to issue a permit to the Applicant upon the following items and conditions:

Chairperson, Zoning Board of Appeals

Date

Lane Bryant will be moving into the Novi Shopping Center located at 43107 Crescent Blvd Novi, MI 48377.

Charming Shoppes Inc. is asking consideration for a non-lit Lane Bryant "LB Logo" on each of the adjacent main storefront side elevation façade's. This building façade is unique in the fact that it is set proud of the remaining storefronts, eliminating visibility and any recognition of signage from customers arriving or traveling through the Novi Shopping Center parking lot, since the primary signage is on the main storefront elevation. To compensate for this hardship and utilize existing storefront features Charming Shoppes Inc. is proposing two non-illuminated Lane Bryant "LB Logo" on each of the adjacent main storefront side elevation façade's measuring approximately 70" h x 73" w alerting customers that Lane Bryant is not only located in the Novi Shopping Center, but also the exact location at the center. The new "LB Logo's " will be illuminated by the existing light fixtures installed on the façade, these fixtures will be painted black to match the new awnings being installed giving the storefront a cohesive and fresh look.



**Project Data**

WAL-MART	1/15/04
Total Development Square Footage	1,877,000
Total Square Footage	792,700
Total Acres	44.2255

**TOTAL PLANNING SPENDING 2013**  
 \$1,500,000.00 (in \$1,000,000)

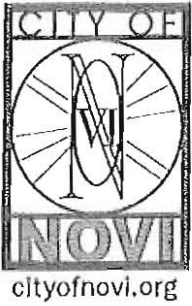
- LEASE DECORATED
- NEGOTIATING
- VACANT

**SIMON**  
 225 W. Washington Street  
 Indianapolis, IN 46204  
 317.750.1000

NOVI  
 TOWN CENTER  
 NOVIA  
 MICHIGAN

DEVELOPMENT  
 SITE/LEASE PLAN

DATE	NOV 11 2013
BY	[Signature]
FOR	[Signature]
PROJECT NO.	7200
PLAN NO.	DPS1



May 24, 2013

Kasper Enterprises  
7844 W. Central  
Toledo, Ohio 43617

RE: LANE BRYANT – 26152 INGERSOL DR

The sign permit applications for the above location have been reviewed and DENIED.

Sign Code Section 28-5(3) permits one sign for this location. A sign permit has already been approved for this location.

Should you wish to request consideration of a variance from the Zoning Board of Appeals, you may do so by contacting the board secretary, Angie Pawlowski, at 248-347-0459.

Please feel free to contact me at 248-347-0438 if you have any questions.

Sincerely,

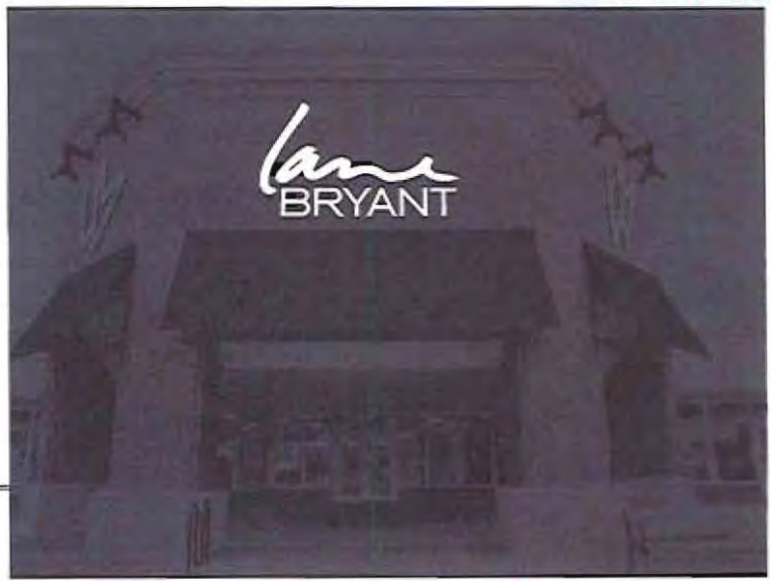
CITY OF NOVI

A handwritten signature in cursive script that reads "Jeannie Niland".

Jeannie Niland  
Ordinance Enforcement Officer

Sign band will be patched and painted by tenant prior to installing new signage.

**PRELIMINARY DRAWING**  
 ALL CONDITIONS MUST BE FIELD  
 VERIFIED PRIOR TO FABRICATION



Proposed Storefront Elevation - NTS  
 Wall Color - Red Brick  
 Lit Letters Existing - Side Elevation Medallions New.

Proposed Storefront Elevation Night View - NTS  
**NOTE:** All sign bands to be patched and painted to like new conditions where any signage or gooseneck lighting is being removed.



Proposed Storefront Elevation - NTS

**Designer**  
 Amanda Otto

**Date**  
 05.09.13

**Sales**  
 XXX

**Construction DWG**  
 XXX

**Date**  
 XXXXXX

**Project Manager**  
 Janot Picolono

**Revision Notes**

DATE	INITIALS	NOTES
05.09.13	ATO	Second Phase Medallions

This Drawing was Last Updated on:  
 Page 3 05.09.13

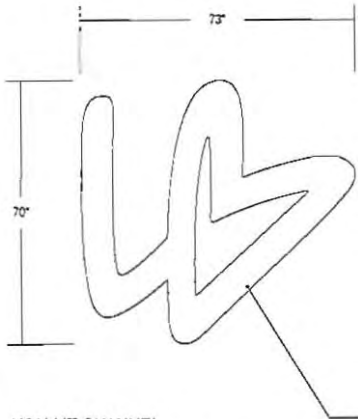
CSI REQUIRES THAT DISCONNECT SWITCH BE LOCATED AT POINT OF POWER SUPPLY UNLESS CODE DICTATES OTHERWISE.  
 ALL SIGN WIRING AND DISCONNECT SWITCH TO ADHERE TO NEC CODE 600.1.  
**U.L. NOTE**  
 CODES, THIS INCLUDES PROPER GROUNDING AND BONDING OF EACL. THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL.

LL Approval \_\_\_\_\_

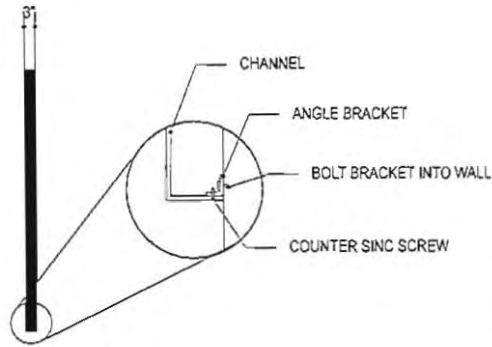
CSI Approval \_\_\_\_\_

Quality Grade	Square Footage	Face	Voltage/ Circuit	Lighting	Amps	Mounting	Pole Anchoring	Footing
2 - Commercial	35,486 Sq. Ft.	Black Aluminum	N/A	N/A	N/A	Wall	N/A	N/A

NOTE: All sign bands to be patched and painted to like new conditions where any signage or gooseneck lighting is being removed.



NON-LIT CHANNEL  
Scale: 3/8" = 1' - 0"



3" FABRICATED CHANNEL  
.080 PREFINISHED WHITE  
ALUMINUM FACE w/ BLACK RETURNS



Side View of Proposed Storefront Elevation - NTS

Designer  
Amanda Otto

Date  
05.09.13

Sales  
XXX

Construction DWG  
XXX

Date  
XX.XX.XX

Project Manager  
Janet Piccione

**Revision Notes**

DATE	INITIALS	NOTES
05.09.13	ATO	Second Phase Medallions

This Drawing was Last Updated on:  
Page 2 05.09.13

CSI REQUIRES THAT DISCONNECT SWITCH BE LOCATED AT POINT OF POWER SUPPLY UNLESS CODE DICTATES OTHERWISE  
ALL SIGN WIRING AND DISCONNECT SWITCH TO ADHERE TO NEC CODE 600.6

**U.L. NOTE**  
CODES, THE INSURER, PROPER GROUNDING AND BONDING OF SIGN  
THIS SIGN IS INTENDED TO BE INSTALLED IN ACCORDANCE WITH THE REQUIREMENTS OF ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL

LL Approval \_\_\_\_\_

CSI Approval \_\_\_\_\_

**PRELIMINARY DRAWING**  
ALL CONDITIONS MUST BE FIELD VERIFIED PRIOR TO FABRICATION



SIMON®

PROPERTY  
GROUP, INC.

Janet Piccione  
Jones Sign  
jpiccione@jonessign.com

May 22, 2013  
Via Email

Reference:       SIGN REVIEW  
                    Lane Bryant  
                    Space #: 26152

Novi Town Center #7200  
Novi, MI

Dear Janet:

The sign drawings have been reviewed and are approved as noted. One set of plans marked with review comments is enclosed for your records.

Contact the appropriate Landlord Representative at the property to review check in procedures and all mall rules and regulations.

Sincerely,

  
Jack Johnson  
Senior Tenant Coordinator  
317-263-7910

Copy:   Mall Manager  
TC10.1  
KG

SIGNAGE

- > TENANT MUST SUBMIT SIGN MANUFACTURERS SHOP DRAWINGS UNDER SEPARATE COVER FOR REVIEW.
- > SIGNAGE TO BE UL LISTED AND CARRY SEAL OF APPROVAL SEAL IS TO BE OUT OF THE PUBLIC VIEW.
- > SIGN MUST MEET NEC REQUIREMENTS, AS WELL AS FEDERAL STATE AND LOCAL LAWS, CODES, ORDINANCES AND REGULATIONS.
- > ANY PHYSICAL DAMAGE TO THE MALL'S COMMON AREA OR EXISTING SIGN BAND MUST BE COMPLETED TO BRING THE AREA TO A "LIKE NEW" CONDITION AND IS THE TENANT'S RESPONSIBILITY TO REPAIR OR REPLACE AT TENANT'S EXPENSE, PRIOR TO SIGN INSTALLATION.
- > SIGN CANNOT EXCEED 70% OF OVERALL STOREFRONT WIDTH.
- > SIGNS OF BOX OR CABINET TYPE CONSTRUCTION WILL BE CONSIDERED ONLY IF CABINET IS RECESSED FLUSH WITH STOREFRONT.
- > NO RACEWAYS SHALL BE PERMITTED.
- > ALL SIGNS SHALL BE ILLUMINATED.
- > ALL ATTACHMENT DEVICES, WIRING, CLIPS, TRANSFORMER RACEWAYS, LAMPS, TUBES (EXCEPT EXPOSED NEON) AND OTHER MECHANISMS ARE REQUIRED FOR ALL SIGNS. SUCH MECHANISMS SHALL BE CONCEALED BEHIND THE FAÇADE.
- > SIGN CONTRACTOR IS TO FURNISH THE STEEL HANGERS, BRACING ANCHORS, CONDUIT, MOUNTING GROUND AND ELECTRICAL CONNECTORS AS REQUIRED.
- > ALL TRANSFORMERS MUST BE REMOTELY LOCATED AND CONCEALED, I.E., NOT LOCATED WITHIN LETTERS, AND NO NOISE FROM TRANSFORMERS SHALL BE AUDIBLE WITHIN THE CENTER.
- > LETTERS AND GRAPHICS SHALL BE TRANSLUCENT AND BACKGROUND SIGN SURFACES SHALL BE OPAQUE.
- > ALL EXTERIOR SIGNS, BOLTS, FASTENINGS AND CLIPS SHALL BE OF ENAMELIZED IRON WITH PORCELAIN ENAMEL FINISH, STAINLESS STEEL.
- > IF DISPLAY WINDOW SIGNAGE IS PERMITTED, THE TOP OF LETTERS ARE NOT TO BE MORE THAN 36" ABOVE MALL FINISH FLOOR.
- > STOREFRONT SIGNS MUST HAVE A SEPARATE DISCONNECT SWITCH.
- > ALL ILLUMINATED SIGNS MUST BE CONTROLLED BY A 7-DAY 24-HOUR TIME CLOCK AND SHALL BE ILLUMINATED DURING MALL HOURS.
- > NEON TUBING (WHERE APPLICABLE) CANNOT BE VISIBLE THROUGH PLEXIGLASS SIGN FACE.
- > NO HIGH GLOSS FINISHES ARE PERMITTED - USE SEMI-GLOSS OR FLAT FINISHES ONLY.
- > NO EXPOSED NEON, AUXILIARY SIGNS OR POSTERS ARE PERMITTED IN THE STOREFRONT WINDOWS. THIS INCLUDES BUT IS NOT LIMITED TO, OPEN SIGNS, ADVERTISEMENTS SIGNS, DBA SIGNS.

SIGNAGE

- > THE TENANT'S SIGN INSTALLER MUST COORDINATE THE SIGN INSTALLATION WITH PROPERTY MANAGEMENT PRIOR TO STARTING THE INSTALLATION - PLEASE CONTACT:

Jim Cleve  
 @ 246. 347. 3830

- > THE SIGN INSTALLER WILL BE REQUIRED TO PLACE A TEMPLATE ON THE SIGN FAÇADE SHOWING THE SIGN PLACEMENT & LIGHTS, IF APPLICABLE - PROPERTY MANAGEMENT MUST APPROVE PRIOR TO BEGINNING INSTALLATION.
- > ALL INSTALLATIONS MUST TAKE PLACE DURING NON-BUSINESS HOURS AS THE CENTER IS AN OPEN AND OPERATING CENTER.

- ALL LANDLORD NOTES ON PREVIOUS LANDLORD REVIEW DATED 4.4.13 STILL APPLY

P610F4

Case #	7200	Request #	26152
Client	Lowe Bryant		
Property	NOVI TOWN CENTER		
Simon Property Group 225 West Washington Street Indianapolis, Indiana 46204			
Approval	UJ - APPROVED AS NOTED		
Comments	SEE MORE INFORMATION REQUIRED		
Resubmit			
By	J.W. Johnson	Date	5.20.13

# BRAND ENTITY LANE BRYANT



## EXHIBIT "D"

Site ID: 6988  
 Brand Name: Lane Bryant  
 Site Name: New Town Center  
 Street Address: 43107 Crescent Boulevard  
 City, State: Novi, MI 48377

Township Name: City of Novi  
 Contact Name: Jeannie Nyland  
 Phone: 248-347-0415

Developer: Simon Property Group (Indianapolis)  
 Street Address: 725 W Washington Street  
 City, State: Indianapolis, IN 46204  
 Contact Name: Kevin M. Jones  
 Phone: 317-702-7199  
 Email: kejjones@simon.com  
 Contact Name: Mark Patterson - Tenant Coordinator for Approval  
 Email: mpatterson@simon.com

Landlord's approval of this exhibit constitutes Landlord's agreement that Tenant shall have the right to erect and maintain all signage depicted herein for the remainder of the Lease Term. The attached drawings are not for fabrication and are subject to all local, city and state approvals.

**Wall Sign:**

- Maximum width of Tenant's sign shall not exceed 75% of the linear leased frontage, oriented horizontally and a minimum of 2 feet from the lease line.
- Height of Tenant's sign shall be governed by the maximum width, as stated in Item 8.2 and by the maximum sign area as stated in the City of Novi Zoning Ordinance Chapter 28 Signs, which reads, in part, as follows: A business having a first floor pedestrian entrance shall be allowed one and one-half (1 1/2) square feet of signage per linear foot of contiguous public or private street frontage up to a maximum of sixty-five (65) square feet.
- All exterior signs exposed to the weather shall be mounted at least 36" from the building to permit proper dirt and water drainage. Each sign will also have weepholes at the bottom to allow proper drainage.

**Blade Sign:**

- Under canopy signage throughout the center shall be:
- Uniform in height, length, design and style, limited to 2 colors (1 background, 1 letter).
- Must be permanently fixed to the underside of the canopy.
- Limited to a maximum letter height of 4 inches.

**Window Sign:**

- No information provided.

**Wall Sign:**

- One sign per tenant maximum 65 square feet.
- Allowed 1.25 square feet per each linear foot of tenant space.
- Square footage is calculated by boxing all copy, from top of letter height to bottom of lowest letter.
- May not project more than 12 inches.

**Blade Sign:**

- Blade signs are not allowed.

**Window Sign:**

- Cannot be more than 25% of the glass. Permit required.

Landlord Approval: \_\_\_\_\_ Date: \_\_\_\_\_  
 CSI Approval: \_\_\_\_\_ Date: \_\_\_\_\_

Pg 2 of 4

NOTE: EACH PAGE NEEDS TO BE INITIALED & DATED FOR APPROVAL

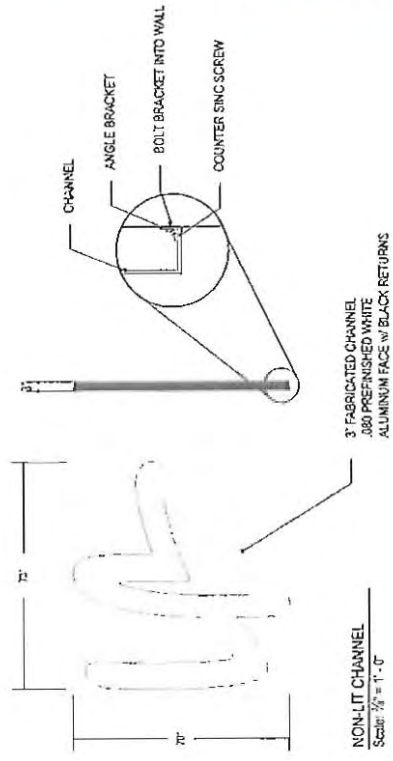
**JONES SIGN** **Non-Lit Channel (Qty: 2)** **Scale: As Noted**

Quantity Grade: **EX Commercial** Price: **25.425 \$/ft.** Stock: **Aluminum** Mounting: **NA** Pole Anchoring: **NA** Roofing: **NA**

Designer: **Novi Town Center**  
 43107 Crescent Boulevard  
 Novi, MI 48377

96231  
 Lino Bryant  
 46908

NOTE: All sign panels to be polished and finished to suit the customer's choice of sign or graphics lighting to being installed.



Side View of Proposed Storefront Elevation - NTS

Pg 3 of 4

PRELIMINARY DRAWING  
 ALL CONDITIONS MUST BE FIELD  
 VERIFIED PRIOR TO FABRICATION

Designer: **Novi Town Center**  
 43107 Crescent Boulevard  
 Novi, MI 48377

Date: **05.09.13**

Subs: **XXX**

Construction DWG: **XXX**

Date: **0000.XX**

Project Manager: **Jared Proctor**

Revision Notes:  
 out: **05.09.13 - ATD - Second Phase - Modifiers**

Page 2 of 2  
 05.09.13  
 This Drawing was Last Updated on:

CSI requires that consultant drawings be located at point of project supply unless noted otherwise.  
 ALL DGS WITHIN AND OUTSIDE OF THE PROJECT SHALL BE SUBJECT TO THE FOLLOWING:  
 U.L. NOTE  
 CONSULT WITH YOUR INSURANCE CARRIER FOR THE MOST CURRENT AND APPLICABLE POLICY LIMITS AND CONDITIONS. THE POLICY LIMITS AND CONDITIONS OF THE INSURANCE CARRIER SHALL BE THE FINAL AUTHORITY.

LL Approval: \_\_\_\_\_

CSI Approval: \_\_\_\_\_

Sign band will be patched and painted by tenant prior to installing new signage.  
 22'-1.25"  
 30'-2"  
 65'-5"



Proposed Storefront Elevation - NTS  
 Wall Color - Red Brick  
 Lit Letters Existing - Side Elevation. Medallions: New.



Proposed Storefront Elevation - NTS

**PRELIMINARY DRAWING**  
 ALL CONDITIONS MUST BE FIELD  
 VERIFIED PRIOR TO INSTALLATION

**NOTE:** All sign bands to be painted and painted in  
 like new condition, when any signage or graphics  
 letters is being removed.

Revision Note  
 05.09.13 - STD - Storefront Medallions

Designer  
 Amanda Olin  
 Date  
 05.09.13  
 Sales  
 JOK  
 Construction DWG  
 JOK  
 Barite  
 JOK/JOK  
 Project Manager  
 David Proctor

The Drawing was Last Updated on:  
 Page 3 05.09.13

**U.L. NOTE**  
 THIS DRAWING IS FOR INFORMATION ONLY  
 AND DOES NOT CONSTITUTE AN OFFER  
 OF ANY FINANCIAL PRODUCT. FOR  
 MORE INFORMATION, PLEASE CONTACT  
 YOUR FINANCIAL ADVISOR.

LL-Approval  
 CSI Approval

*Red Brick*

**CITY OF NOVI - SIGN PERMIT APPLICATION**  
**COMMUNITY DEVELOPMENT**  
(248) 347-0415



All applications must have one drawing showing fully dimensioned sign details.  
All signs must have one plot plan showing sign location, any easements and right-of-way.  
All ground signs require a sign foundation permit. Submit a separate building permit application for ground sign foundation along with three signed/sealed engineered drawings and calculations to the Novi Building Department.

Address of Proposed Installation: 26152 INGERSDALE Date 5.24.13

Owner: NOVI TOWN CENTER Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_ Phone: ( ) \_\_\_\_\_

Erector: RASPEGLI HARMON SEN Address: 7844 W. CENTRAL City: TOWSON

State: MD Zip: 21287 Erector's License No: 33-06089 Phone: (410) 841-6636  
XT-334

**Type of Sign:**

Entranceway  Business Center  Wall  Ground  Awning  Projecting Sign

Is this sign illuminated? NO Lineal Building Frontage of this Business: 66'5"

Is this a multi-tenant building? YES Is this a multi-story building? NO

Size/Measurement: Horizontal: 73" Vertical: 70" Area Sq. Ft. 35.124

Height from Grade to Top of Sign: \_\_\_\_\_ Copy to be on Sign: NO GO ONLY

2 ARE REQUESTED - SEE ATTACHED

Sign permit fee does not include any fees for building or electrical permit applications that may apply.

[Signature]  
Signature of Applicant or Agent

Reviewed by: \_\_\_\_\_ Date: \_\_\_\_\_

APPROVED  
 NOT APPROVED - REASON FOR DENIAL: \_\_\_\_\_

**ZONING BOARD OF APPEALS (if applicable)**

APPROVED  
 NOT APPROVED Date: \_\_\_\_\_

