

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

Case No. PZ12-0053 40623 Nine Mile Rd

Location: Southeast corner of Mill Rd and 9 Mile Rd

Zoning District: R-3, One-family Residential District

The applicant is requesting a variance from the CITY OF NOVI, CODE OF ORDINANCES, Signs, Section 28-5(2)d.3 to placement of a subdivision entrance sign within the public right of way. The proposed sign would be located south of 9 Mile Rd. and west of Haggerty Rd.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Signs, Section 28-5(2) d.3 ground signs be located not less than 10 feet from the right-of-way.

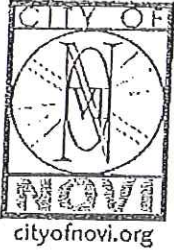
City of Novi Staff Comments:

The applicant is requesting the variance to allow installation of a second subdivision entrance sign. A sign is present at another entry location, but this intersection has not previously had neighborhood identification. As the adjacent lots were developed in the past, the only available location for the signage short of intruding on the yard of an existing residence is the public Right of Way. The petitioners have secured approval of the Novi Department of Public Services for installation of a breakaway sign at the proposed location pending approval by this board. Staff suggests consideration of a condition that the sign be removed or relocated at the expense of the neighborhood association in the event of conflict with future road or pathway improvements.

Standards for Granting a Dimensional Variance:

A variance may be granted if a practical difficulty exists due to all of the following:

- There are unique circumstances or physical conditions of the property such as narrowness, shallowness, shape, water, topography or similar physical conditions and the need for the variance is not due to the applicant's personal or economic difficulty.
- The need is not self-created.
- Strict compliance with regulations governing area, setback, frontage, height, bulk, density or other dimensional requirements will unreasonably prevent the property owner from using the property for a permitted purpose, or will render conformity with those regulations unnecessarily burdensome.
- The requested variance is the minimum variance necessary to do substantial justice to the applicant as well as to other property owners in the district.
- The requested variance will not cause an adverse impact on surrounding property, property values or the use and enjoyment of the property in the neighborhood or zoning district.



ZONING BOARD OF APPEALS APPLICATION

CITY OF NOVI

Community Development Department
(248) 347-0415 (248) 735-5600 fax

For Official Use Only

ZBA Case No. P212-0053 ZBA meeting date 12/11/12

Payment received _____ Cash Check # 1233

Include payment with cash or check written to "City of Novi"

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

Please submit one original signed application, 13 copies of the application and 13 copies of all supporting documentation relevant to the appeal.

Applicant's Name WHISPERING MEADOWS HOMEOWNERS ASSOC Date 10/30/12

Company (if applicable) _____

Address* P.O. Box 823 City NOVI

State MI Zip code 48376 *Where all case correspondence is to be mailed

Applicant's E-mail address LarryCiancio@hotmail.com

Phone number 248-349-4234 Fax number _____

Request is for:

- Residential
- Vacant property
- Commercial
- Signage

Address of subject ZBA case 40623 Nine Mile Rd Zip code _____

Cross roads of property Mill Road / 9 mile Rd.

Sidwell number 50-22- _____ May be obtained from Assessing Department (248) 347-0485

Is the property within a Homeowner's Association jurisdiction? Yes No

Zoning (Please circle one)

	R-A	R-1	R-2	R-3	R-4	RM-1	RM-2
	MH	B-1	B-2	B-3	I-1	I-2	NCC
	OS-2	OSC	OST	RC	TC	TC-1	Other

Property owner name (if other than applicant) _____

Does your appeal result from a Notice of Violation or Citation issued?

Yes No

Indicate Ordinance section(s) and variances requested:

- 1. Section 28-5(2) A3 Variance requested _____
- 2. Section _____ Variance requested _____
- 3. Section _____ Variance requested _____
- 4. Section _____ Variance requested _____

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. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
- c. Dimensions necessary to show compliance with the regulations of this Ordinance.

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

row The primary reason is proximity to electrical needs and the proposed SIGN FAUS within Right of Way tolerances. Therefore, this prevents conformance with City zoning ordinances.

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:

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.

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.

Varlance expiration:

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.

Such time limits shall be extended for those applicants requiring site plan review to a period of thirty (30) days after the date of final site plan approval has been given by the City.

PLEASE TAKE NOTICE:

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

- Construct new home/building
- Accessory building
- Use
- Addition to existing home/building
- Signage
- Other

Jerry Cancio
Applicants Signature

10/30/12
Date

Property Owners Signature

Date

DECISION ON APPEAL

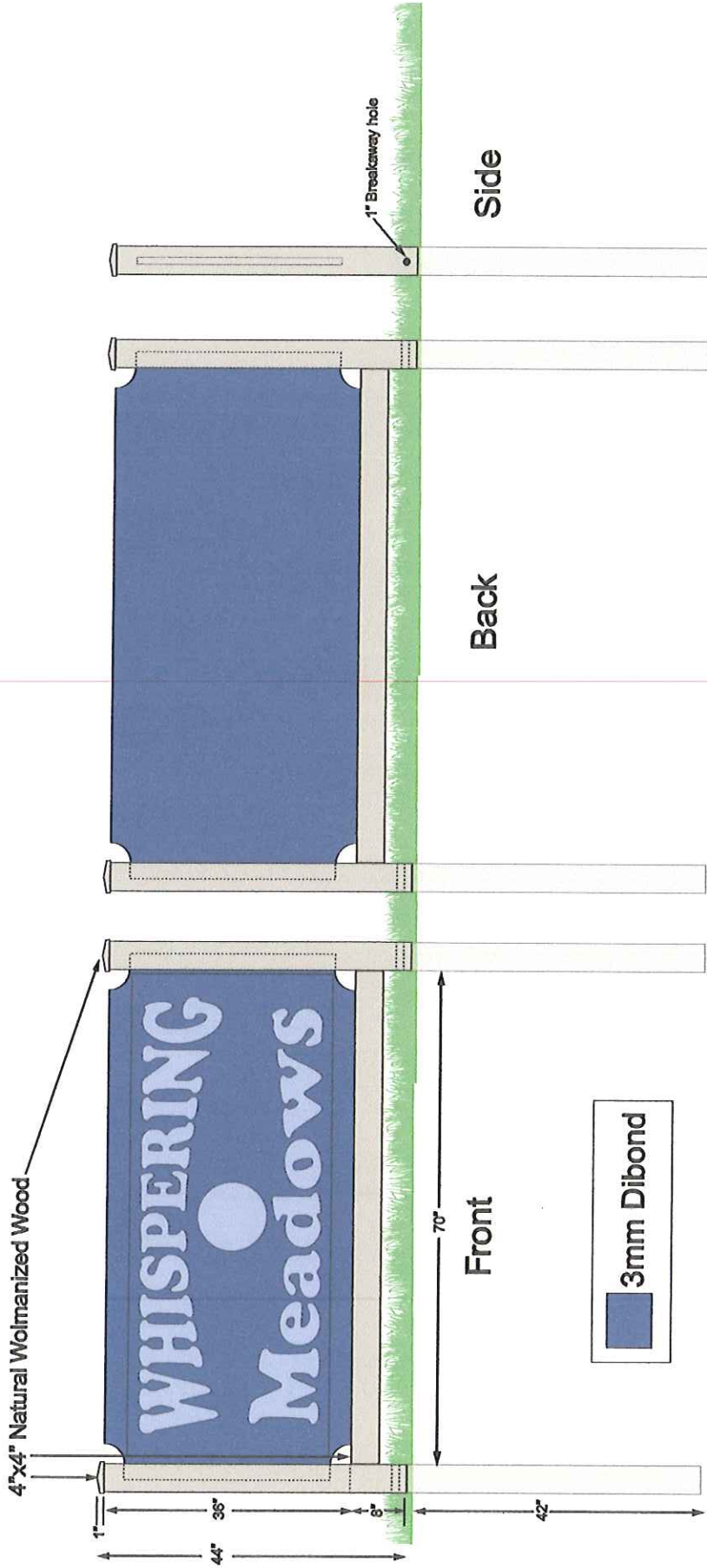
_____ Granted

_____ Denied

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



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CHANGES
 APPROVED

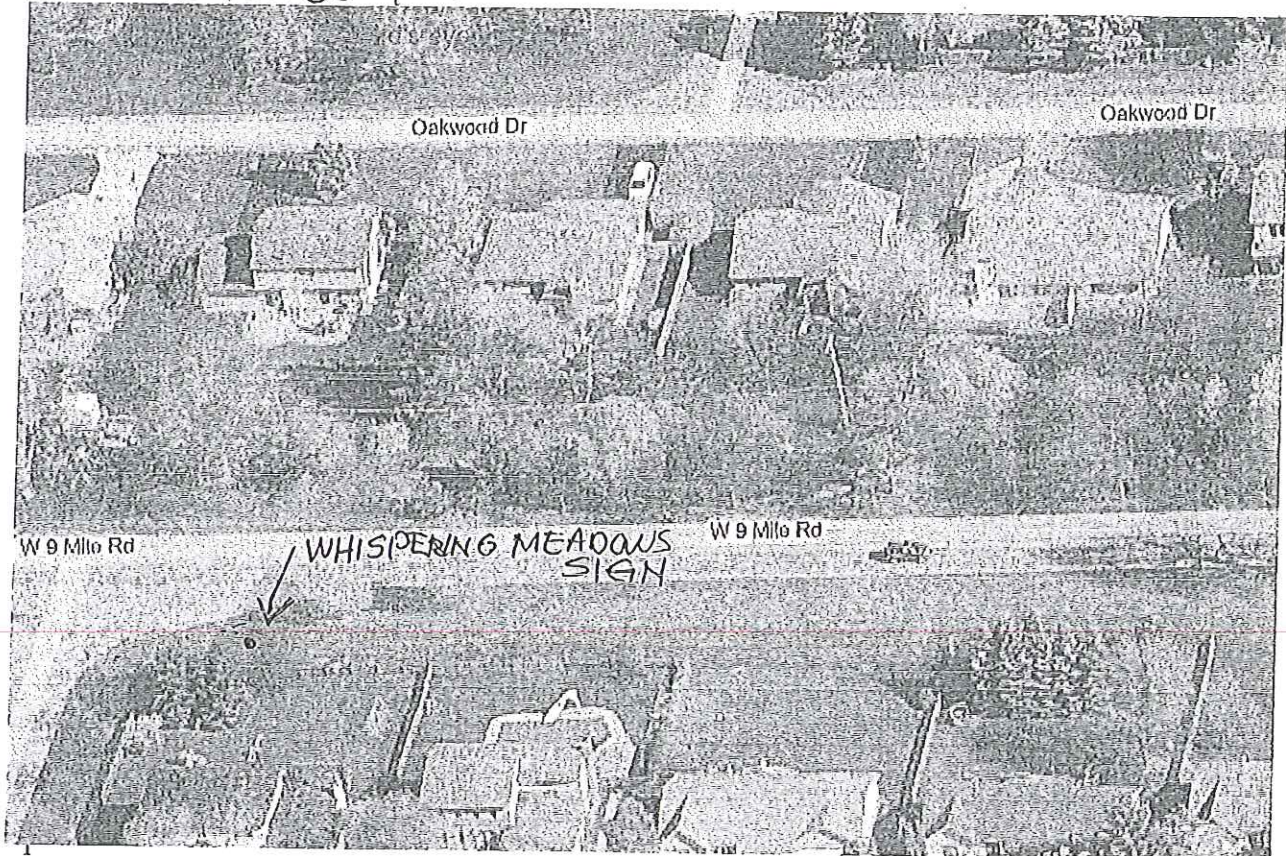
Please sign and date & email or fax to authorize production

Authorized by _____ Date _____
 23555 Research Dr. Farmington Hills, MI 48335 Ph: (248) 473-8990 Fax: (248) 473-9294 sales@graphikconcepts.com

CLIENT: Whispering Meadows	
FILE: 4167 34018-3	DATE: 10-30-12
SALES REP: BB	DESIGN TIME USED: 02:55
DESIGNER: BS	DESIGN BUDGET: 00:00

MILL RD TO CURB 25'
SIGN TO FENCE 20'

SIGN TO 9 mile Rd.
15'



1. Daniel R Fitzgerald
(248) 347-3538
2. Jennie Fitzgerald
(248) 347-3538
3. Jonnie M Fitzgerald
(248) 347-3538

[Show all 3 residents »Live here? Claim & Edit](#)

22329 Mill Rd

2

1. Melissa Wines
2. Karen J Parsell
(248) 344-0943

[Live here? Claim & Edit](#)

22295 Sunrise Blvd

3

1. Mike Smith

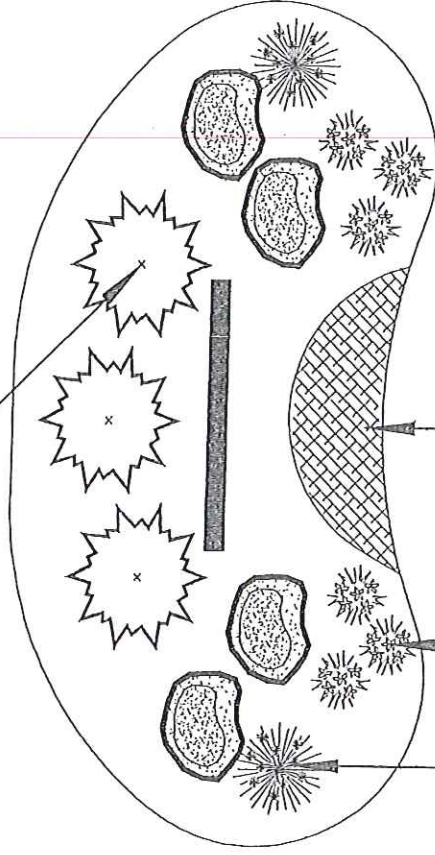
[Live here? Claim & Edit](#)

22320 Mill Rd

4

50 feet 10 m

3 DWARF ALBERTA SPRUCE

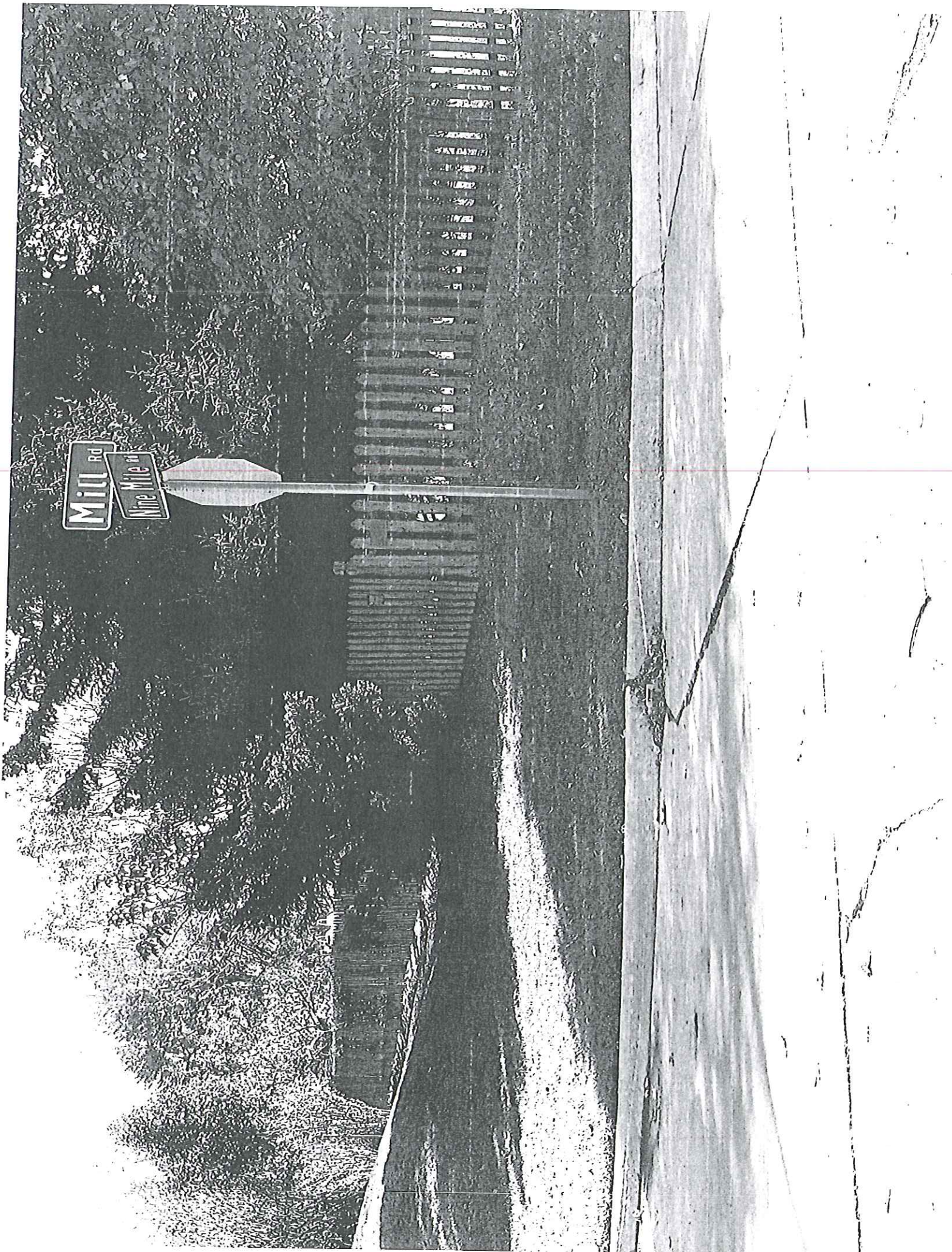


ANNUAL AREA

6 PARDON ME MINIATURE/DWARF DAYLILY

2 MAIDEN GRASS

WHISPERING MEADOWS MILL RD SIGN



Mill Rd

Nine Mile in