



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

**Case No. PZ13-0075 -Neil King Physical Therapy**

**Location: 23965 Novi Road**

**Zoning District: OS-1, Office Services**

The applicant is requesting a variance from Section 28-7(11) of the Novi Sign Ordinance to allow vinyl type exterior window signs located on the south and east side of an office tenant suite. The property is located on west side of Novi Road, south of Grand River Ave.

**Ordinance Sections:**

CITY OF NOVI, CODE OF ORDINANCES, Section 28-7(11) allows business signs displayed through building glass area. Section 28-7(11) prohibits exterior window signage

**City of Novi Staff Comments:**

The applicant is requesting approval for installation of a vinyl type exterior window sign to be installed over the (exterior) building windows. The applicant is entitled to display through ("interior") building glass area under the Novi Sign Ordinance. A photograph of the actual sign is included in the package. Staff does not support granting further variances as the failure to grant relief will not unreasonably prevent or limit the use of the property and will not result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

**Standards for Granting a Sign Variance**

- 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 because\_\_\_\_\_.
- 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\_\_\_\_\_.



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**RECEIVED**

DEC 20 2013

CITY OF NOVI  
COMMUNITY DEVELOPMENT

**For Official Use Only**

ZBA Case No: P2130075 ZBA Date: Feb 2014 Payment Received: \$ 300 (Cash)

Check # 178439 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 Sue Dillon Date Dec. 20, 2013

Company (if applicable) Graphic Visions, Inc.

Address\* 16857 Northville Rd. City Northville ST MI ZIP 48167  
\*Where all case correspondence is to be mailed.

Applicant's E-mail Address: Suedillon@graphicvisionsinc.com

Phone Number 248 347-3355 FAX Number (248) 347-3388

Request is for:

Residential Construction (New/ Existing)  Vacant Property  Commercial  Signage

1. Address of subject ZBA case: 23965 Novi Rd., Novi, MI. ZIP 48375  
Suite 150

2. Sidwell Number: 5022- 27-226-001 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) Neil King Physical Therapy

6. Does your appeal result from a Notice of Violation or Citation Issued?  Yes  No

7. Indicate ordinance section(s) and variances requested: see letter attached.

1. Section 28.7 Variance requested Window Graphics - Installation to Outside

2. Section \_\_\_\_\_ Variance requested (1<sup>st</sup> surface) of glass.

3. Section 28.7 Variance requested Language clarification - surface definition

4. Section 28.7 Variance requested Language clarification - Permanent vs. Temporary window Graphics.

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 letter*

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 letter*

**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. *— All actual graphics on windows.* 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

*Jason Edick*  
Applicants Signature

*12/20/13*  
Date

*Neil Knight*  
Property Owners Signature

*12-20-2013*  
Date

**DECISION ON APPEAL**

Granted     Denied     Postponed by Request of Applicant     Board

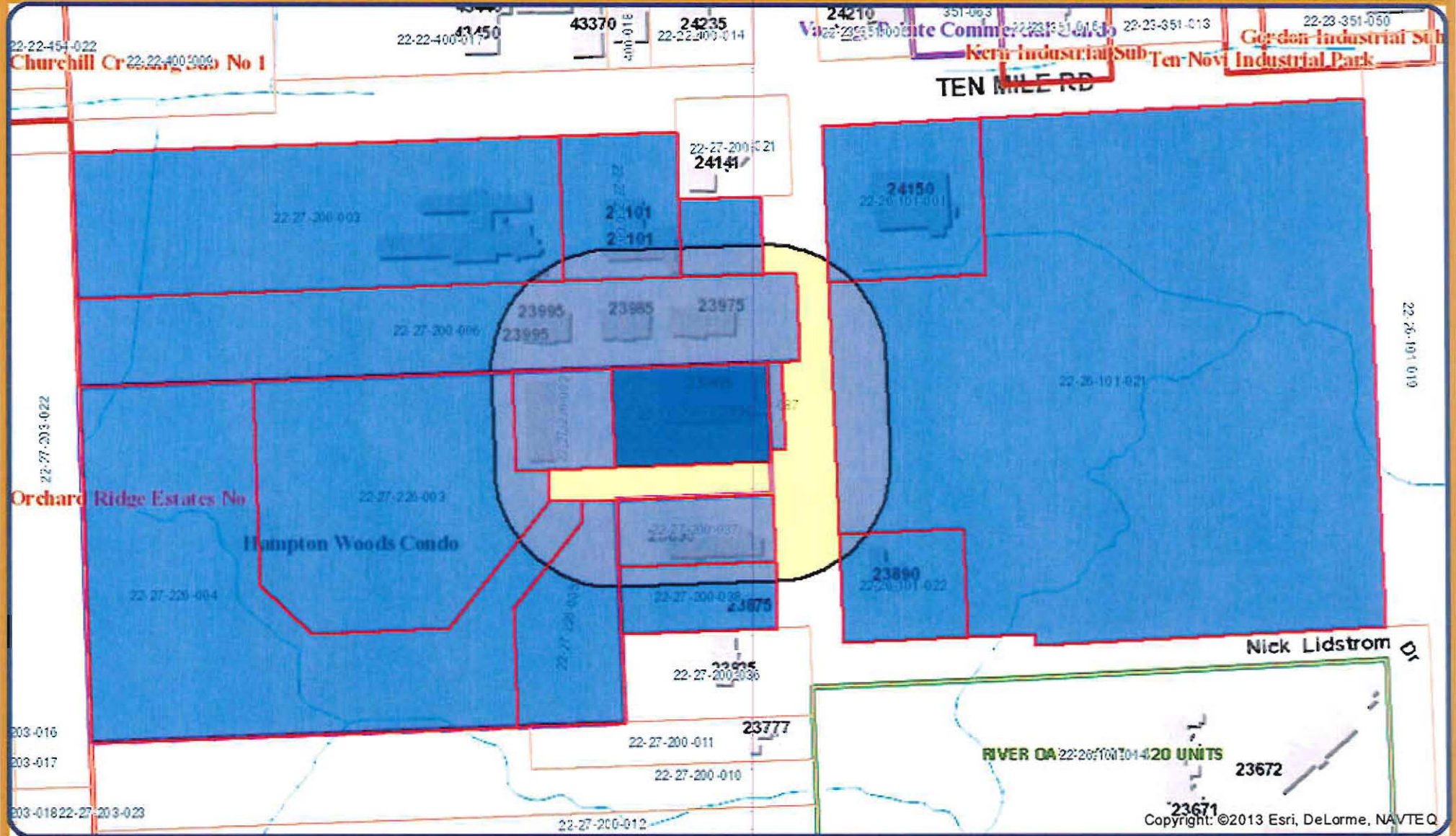
The Building Inspector is hereby directed to issue a permit to the Applicant upon the following items and conditions:

\_\_\_\_\_

\_\_\_\_\_  
Chairperson, Zoning Board of Appeals

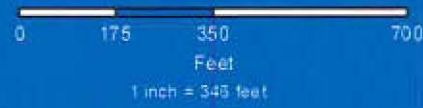
\_\_\_\_\_  
Date

# Novi, MI Neil King



Map Produced Using the  
City of Novi, Michigan  
Internet Mapping Portal

Author:  
Date: 1/23/2014



### MAP INTERPRETATION NOTICE

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To: Zoning Board of Appeals, City of Novi  
From: Sue Dillon  
Graphic Visions, Inc.  
RE: Neil King Physical Therapy ~ Window Graphics for 23965 Novi Road, Novi, MI. 48375

REQUEST FOR VARIANCE – 3 Part Request

We are a licensed sign contractor ~ we do many sign projects in the City of Novi. We strive to work within the sign ordinance regulations when proposing sign and graphics to our customers to avoid any legal issues with the city.

We are representing this client for this variance request for window graphics because we don't feel he should be penalized due to different interpretations of the ordinance. Our intent is to be an informed and a knowledgeable source for our Novi clients as well to provide effective communication through the sign ordinances.

*We appreciate your time in reviewing our 3 requests regarding the Ordinance identified below.*

**Reference: Section 28.7 (11), page 27 reads:**

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Business signs displayed through building glass area, where such sign:

- a. Covers not more than 25 % of all the glass area of the frontage of the building premises displaying the sign;
  - b. Contains a message referring to current, temporary merchandising or promotional activities such as a sale; and
  - c. Is removed from the glass not more than 5 days after its first display. The same sign may not be displayed for a period of 30 days from the date of such removal.
  - d. Open/Closed signs – does not apply.
- 

**Part 1:** Variance Request to allow first surface window graphics (on the outside of the glass).

Our client, Neil King Physical Therapy, received a notification that he is required to remove his window graphics due to the ordinance inspector's directive that their window graphics are not allowed by the sign ordinance to be on the outside of the glass.

**Part 2:** Request for Language Clarification/Possible Update: We respectfully recommend that The City of Novi consider re-wording this ordinance section regarding window graphics placement to better define which side of the glass window; it would be beneficial to use both common language (inside/outside) and industry terms (1<sup>st</sup> surface/2<sup>nd</sup> surface).

**Part 3:** Request for Ordinance Clarification/Possible Update: Permanent vs. Temporary Sign Ordinances needs to be better defined. We respectfully recommend the City of Novi to better clarify the following items regarding PERMANENT window graphics that would be used as a businesses' primary sign versus TEMPORARY window graphics which under many ordinances are a totally different application.

**9. We have identified numerous practical difficulties/hardships for our case/client:**

1. Our client is a tenant in this commercial building. They must utilize window graphics as their main identification sign instead of wall signs since they have no wall space due to the very large bank of windows (on both the main façade with their entrance door as well as on the frontage facing Novi Road). They are well under the 25% allowed for window graphics for both frontages of their lease space.
2. Their large bank of glass windows are deeply tinted glass due to the large heat/sun exposure, any graphics on or applied to the inside of the glass (second surface) would not be visible.
3. The language of the sign ordinance (per Jeannie Niland) is that the word THROUGH in the ordinance identifies that graphics cannot be on the outside of the glass. With all due respect, this is easily misunderstood and can be easily overlooked. The ordinance language needs to use layman's (and sign industry terms) in regards to the description of the location of the graphics: first surface (outside of glass) or second surface (inside of glass).

**10. The Unusual Circumstances of this application:**

1. The ordinance for window graphics co-mingles both permanent (Main Identification: Name of Business) and temporary/secondary graphics (promotional, sale, posters, neon, etc) under one broad interpretation. Other municipalities/sign ordinances have separate ordinance definitions identifying the allowances for temporary/promotional window signs separately from permanent window graphics.

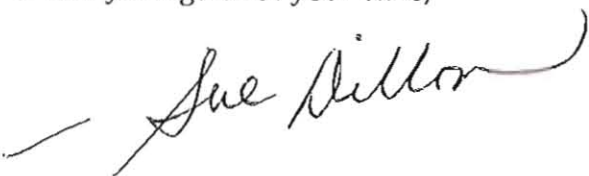
Our intent for our application to this board is to initially help our client and to clarify so we know how to advise with the other Novi businesses who we have provided window graphics on the outside of their glass (1<sup>st</sup> surface), and to be a positive step in a direction that could assist other sign companies having similar issues with fines and removal notices for window graphics in the City of Novi.

Please keep in mind that many out-of-state sign companies specify window graphics specifically on the online sign ordinances and the language must be clear and concise to avoid mis-interpretations or unintended oversights.

On a side note: We requested Jeannie to have our questions clarified through her department, but were told that applying for the variance was our only method of clarification that we had; she was very helpful but firm. We also asked if the fee could be waived so our client would not have the additional \$300.00 cost (in addition to the window graphics that he has already paid); our request to waive the fee was also denied.

To have the ordinance officer fine businesses for PERMANENT window graphics on the outside (1<sup>st</sup> surface) of the glass: this would most likely cause Novi business owners with tinted glass to have additional expenses of either removal and replacement of the PERMANENT window graphics or take time & money away from their business resources to apply for a \$300.00 variance. To be proactive, this application could avoid these uncomfortable situations for all parties involved.

Thank you again for your time,



16857 Northville Rd.  
Northville, MI 48168  
248.347.3355 phone  
248.347.3388 fax

*graphic  
visions*  
inc.

**Sue Dillon**  
suedillon@graphicvisionsinc.com  
build an identity • demand attention

Visit our online portfolio at:  
[www.graphicvisionsinc.com](http://www.graphicvisionsinc.com)