

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: October 8, 2019

REGARDING: <u>43530 West Oaks Dr B104, Parcel # 50-22-15-200-059 (P</u>Z19-0039)

Larry Butler, Deputy Director Community Development BY:

GENERAL INFORMATION:

Applicant

ID Associates, Inc. / Scrubs & Beyond

Variance Type

Sign

Property Characteristics

Zoning District:	Regional Center
Location:	West of Novi Road and South of Twelve Mile Road
Parcel #:	50-22-15-200-059

Request

The applicant is requesting variances from the City of Novi Code of Ordinances Section 28-5(b)(1)a. for a variance of 16.7 square feet for a proposed 66.70 square foot wall sign, 50 square feet allowed by code. This property is zoned Regional Center (RC).

II. STAFF COMMENTS:

III. RECOMMENDATION:

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

1.	I	move	that	we	<u>grant</u>	the	variance	in	Case	No.	PZ19-00	39 , sc	ught	by for
	_							_ b	ecause	Petition	er has	shown	prac	tical
	d	ifficulty re	equiring	J							·		·	

(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	
1	

2. I move that we <u>deny</u> the variance in Case No. PZ19-0039, sought by for______' because Petitioner has not shown

practical	difficulty requiring	
practical	anneony 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) 347-0417.

Larry Butler Deputy Director Community Development City of Novi



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

Scrubs & beyond Introduction of the second of the seco	I. PROPERTY INFORMATION (Address of subject ZBA Case)			Application Fee:		
ADDRESS LOT/SILVE/SPACE # INTECHING DOL: 45530 W Oaks Dr May be obtain from Assessing IBA Case #: PZ	PROJECT NAME / SUBDIVISION					
SIDURLL # May be obtain from Assessing Department (248) 347-0485 ZBA Case #: PZ	ADDRESS LOT/SIUTE/SPACE #			Meeting Date:		
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A. FEES	IV. FEES AND DRAWNINGS		Water and Self-April			
□ 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						
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF • Dimensioned Drawings and Plans • Existing & proposed distance to adjacent property lines						
Site/Plot Plan Location of existing & proposed signs, if applicable						
 Existing or proposed buildings or addition on the property 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** <u>ten-(10)</u> <u>days</u> 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
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ACCESSORY BUILDING

Chairperson, Zoning Board of Appeals

USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES	
A. APPLICANT	
C. Crawback	8/29/19
Applicant Signature	Date
B. ROPERTY 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	
application, and is/are aware of the contents of this application and related enclosures	8/30/19
Property ever startoure Ray wond Merk - Chief Accounting Officer	Date
VII. FOR OFICIAL USE ONLY	
DECISION ON APPEAL:	
GRANTED DENIED	
The Building Inspector is hereby directed to issue a permit to the Applicant upon the foll-	owing and conditions:



Community Development Department 45175 Ten Mile Road Novi, MI 48375 (248) 347-0415 Phone (248) 735-5600 Facsimile www.cityofnovi.org

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:

Scrubs & beyond requests exception to wall sign allowance, due to client's space in the back corner of large L-shaped center, the building in front on out parcels, and foliage lining the perimeter of center.

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:

Due to tenant space being approx. 1200 ft from Novi Rd. and being tucked into corner of L-shaped center. Also further hindered by out parcel buildings and foliage lining the perimeter of center.

Standard #2. Limit Use of Property.

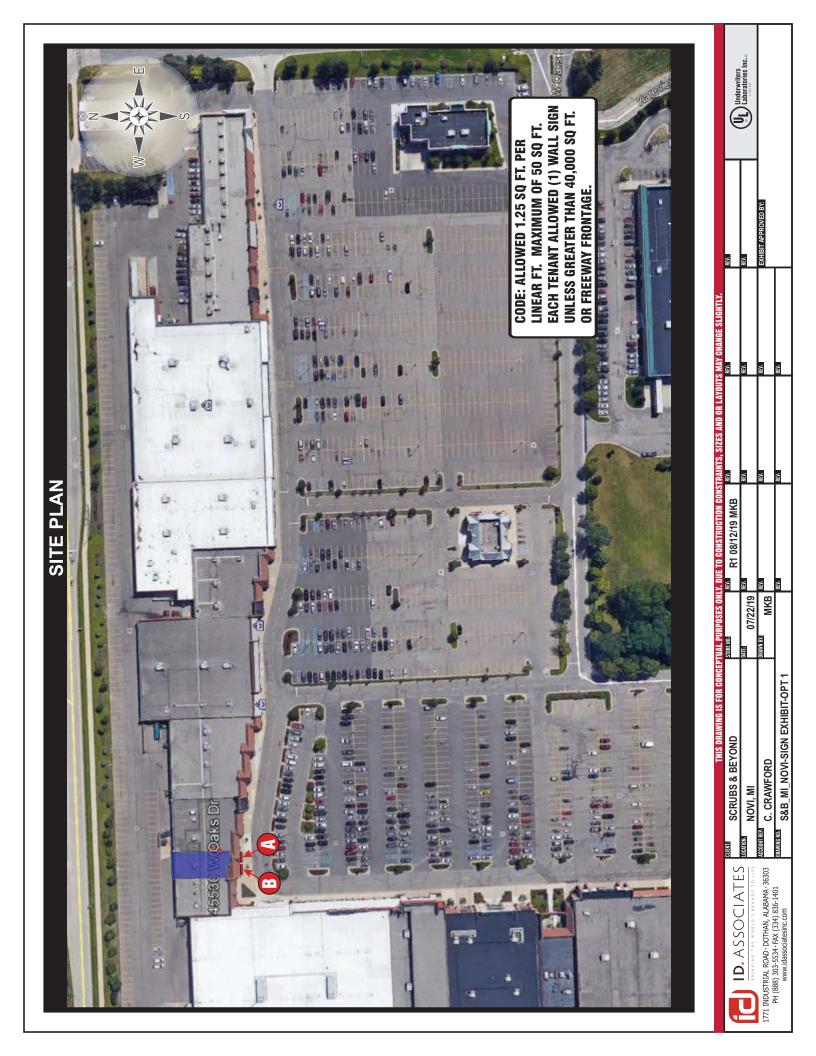
Explain how the failure to grant relief will unreasonably prevent or limit the use of the property and will result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

Without grant of additional sign square footage allowance, the tenant's visibility will be greatly impacted and affect potential customers ease of locating the client's space. This will impact the client's revenue.

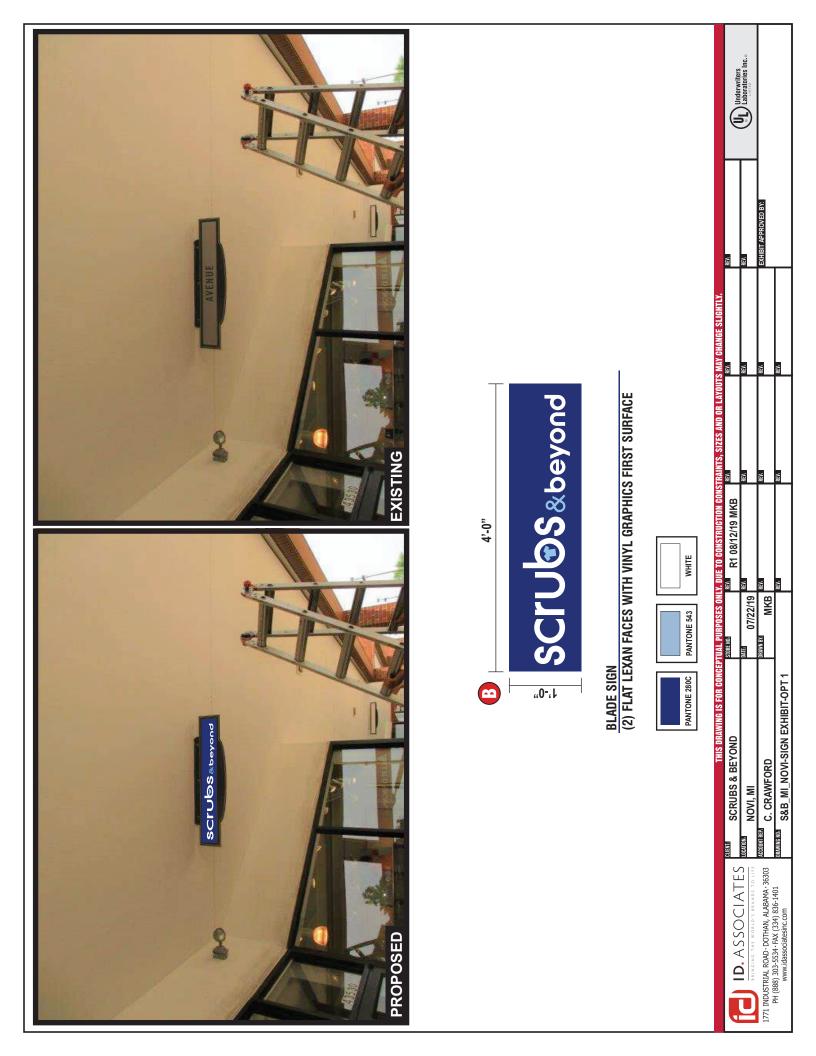
Standard #3. Adverse Impact on Surrounding Area.

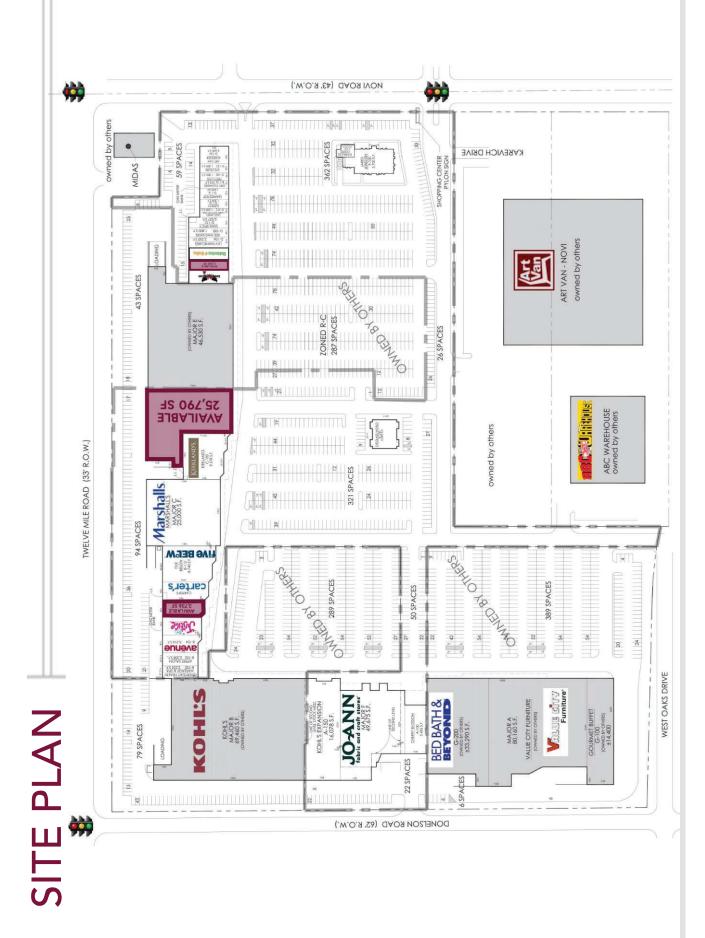
Explain how the Sign Variance will not result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit and intent of this chapter.

The proposed signage is similar to existing tenant signage through out the center. The proposed will not alter the essential character of the center or neighboring area.









West Oaks II • Novi, MI





a Philadelphia Sign Company

August 29, 2019

Zoning Board of Appeals City of Novi 45175 Ten Mile Road Novi, MI 48375

RE: Letter of Justification for Sign Variance Application Scrubs & beyond 45530 W Oaks Dr. Novi, MI

ZONED RC

ID Associates (representative for Scrubs & beyond) is seeking relief from Chapter 27 Sign Regulations of City of Novi Code of Ordinances for the following items based on a RC zoning district:

- CH 28 Sec 28-5 (A): Wall signs. Allowed 30-65 square foot maximum based on frontage
- CH 28 Sec 28-5 (B): Area regulations. Multiple businesses: A business having a first-floor pedestrian entrance shall be allowed one and one-fourth square foot of signage per linear foot of contiguous public or private street frontage.

Sign Proposal:

• We are proposing one wall sign with square footage of 66.7. With a frontage of 40 linear ft. we are allowed 50 square feet, so our proposed exceeds by 16.7 sq. ft.

Criteria Justification:

- Our sign request special circumstances are derived from our building location in the back corner of a large L-shaped center. Our proposed signage is nationally recognized and the approval of our request will ensure visibility from within the center's large parking area for potential customers.
- By granting the variance, it will not alter the essential character of the neighborhood. The variance is only being requested due to the conditions of visibility caused by the overall location of the client's space and is consistent with the previous tenant's signage as well as other signage in the center.

Overall the proposed wall sign is proportioned to the space and aesthetically pleasing from the surrounding business neighborhood.

We appreciate your consideration of our sign request.

Respectfully, **Cynthia Crawford**

Cynthia Crawford ID Associates, Inc (Agent for the Applicant)