



# 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:** December 10, 2019

**REGARDING:** 26090 Ingersol Dr, Parcel # 50-22-14-351-064 (PZ19-0050)

**BY:** Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Benchmark Group/Wal-mart

**Variance Type**

Sign Variance

**Property Characteristics**

Zoning District: Town Center  
Location: East of Novi Road and North of Grand River Ave  
Parcel #: 50-22-14-351-064

**Request**

The applicant is requesting a variance from the City of Novi Code of Ordinance Section 28-5(a) for 12 ground signs for parking space indicators, 1 ground sign permitted per parcel. 28-7(b)(2) for 9 ground pole signs to be posted at the parking lot entrances, 2 of the entrances will have 2 ground pole signs. 1 ground pole sign is permitted at each entrance per code. Section 28-5 for a 65.43 square foot wall sign on the west elevation - north side of building, this sign exceeds number of signs permitted. This property is zoned Town Center (TC).

### II. STAFF COMMENTS:

### 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. **PZ19-0050**, 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. **PZ19-0050**, 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) 347-0417.

Larry Butler  
Deputy Director Community Development



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# ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: _____	
PROJECT NAME / SUBDIVISION				Meeting Date: _____	
ADDRESS		LOT/SIUTE/SPACE #		ZBA Case #: PZ _____	
SIDWELL # 50-22-_____-_____-_____		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?			REQUEST IS FOR:		
<input type="checkbox"/> YES <input type="checkbox"/> NO			<input type="checkbox"/> RESIDENTIAL <input type="checkbox"/> COMMERCIAL <input type="checkbox"/> VACANT PROPERTY <input type="checkbox"/> SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED?				<input type="checkbox"/> YES <input type="checkbox"/> NO	
<b>II. APPLICANT INFORMATION</b>					
<b>A. APPLICANT</b>		EMAIL ADDRESS		CELL PHONE NO.	
NAME				TELEPHONE NO.	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS		CITY		STATE	ZIP CODE
<b>B. PROPERTY OWNER</b> <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:		EMAIL ADDRESS		CELL PHONE NO.	
NAME				TELEPHONE NO.	
ORGANIZATION/COMPANY				FAX NO.	
ADDRESS		CITY		STATE	ZIP CODE
<b>III. ZONING INFORMATION</b>					
<b>A. ZONING DISTRICT</b>					
<input type="checkbox"/> R-A <input type="checkbox"/> R-1 <input type="checkbox"/> R-2 <input type="checkbox"/> R-3 <input type="checkbox"/> R-4 <input type="checkbox"/> RM-1 <input type="checkbox"/> RM-2 <input type="checkbox"/> MH <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____					
<b>B. VARIANCE REQUESTED</b>					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section _____ Variance requested _____					
2. Section _____ Variance requested _____					
3. Section _____ Variance requested _____					
4. Section _____ Variance requested _____					
<b>IV. FEES AND DRAWINGS</b>					
<b>A. FEES</b>					
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250					
<input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input type="checkbox"/> (With Violation) \$400					
<input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600					
<b>B. DRAWINGS    1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS A PDF</b>					
• 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		
• Number & location of all on-site parking, if applicable			• 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** 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 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.

### 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

Rachael Vaughn  
Applicant Signature

10/21/2019  
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.

Mark Reich  
Property Owner Signature

10/21/2019  
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



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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.



PARKING SUMMARY					
MAJOR ANCHOR SITE (WALMART)	GLA (S.F.)	GBA (S.F.)	TOTAL SHOPPING CENTER	GLA (S.F.)	GBA (S.F.)
BUILDING AREA:	151,058 S.F.	151,058 S.F.	BUILDING AREA:	461,197 S.F.	468,538 S.F.
PARKING PROVIDED:	+ 844 SPACES		PARKING PROVIDED:	+ 2,699 SPACES	
PARKING RATIO PROVIDED: 644/151,058 = 4.263 SPACES/1,000 S.F. GLA			PARKING RATIO PROVIDED: 2,699/461,197 = 5.852 SPACES/1,000 S.F. GLA		
PARKING RATIO REQUIRED PER ORDINANCE: 5.0 SPACES/1,000 S.F. GLA			PARKING RATIO REQUIRED PER ORDINANCE: 5.0 SPACES/1,000 S.F. GLA		
REMAINDER OF SHOPPING CENTER	GLA (S.F.)	GBA (S.F.)	BARRIER FREE PARKING SPACES: 38 REQUIRED 46 PROVIDED		
BUILDING AREA:	310,139 S.F.	317,480 S.F.	CROSS ACCESS AND PARKING AGREEMENTS SHALL BE PROVIDED BETWEEN WALMART AND THE REMAINDER OF THE NOVI TOWN CENTER PARCEL.		
PARKING PROVIDED:	+ 2,055 SPACES				
PARKING RATIO PROVIDED: 2,055/310,139 = 6.626 SPACES/1,000 S.F. GLA					
PARKING RATIO REQUIRED PER ORDINANCE: 4.0 SPACES/1,000 S.F. GLA					

### DIRECTIONAL SIGN SCHEDULE

ARROW	NUMBER	MOUNTING TYPE
Directional Left	2	Pole
Directional Right	4	Pole
Directional Straight	3	Pole

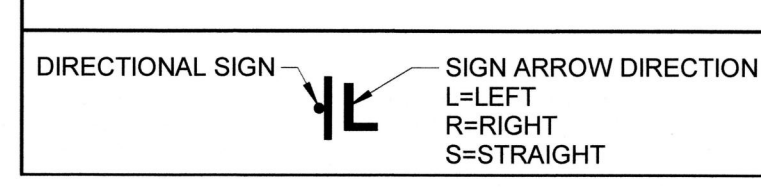
### SIGNAGE NOTES

1. REF SP1.1 FOR POLE DETAILS AND SIGNAGE DETAILS

### SIGNAGE GENERAL NOTES

- BUILDING SIGNAGE FURNISHED BY WALMART, INSTALLED BY OTHERS. SITE DIRECTIONAL PLACARDS FURNISHED BY WALMART, INSTALLED BY G.C.; POLE FURNISHED AND INSTALLED BY G.C. PAVEMENT PAINT FURNISHED AND INSTALLED BY G.C.
- GENERAL CONTRACTOR RESPONSIBILITIES:
  - BY END OF FIRST WEEK OF CONSTRUCTION, REVIEW EXISTING CONSTRUCTION WHERE SIGN(S) WILL BE INSTALLED. IF EXISTING CONDITIONS DO NOT MATCH SIGN ATTACHMENT DETAILS SHOWN, REQUEST APPROVAL FROM CONSTRUCTION MANAGER TO SUBMIT RFI IN ACCORDANCE WITH SECTION 01255. NOTE DIFFERENCES IN CONSTRUCTION, INCLUDING DIMENSIONS, AND INCLUDE PHOTOGRAPHS FOR CLARIFICATION.
  - PROVIDE JUNCTION BOXES AND CIRCUITRY TO NEW "Pickup" AND "spark" SIGNAGE.
  - VERIFY VOLTAGE AT CIRCUITS FEEDING LIGHTED SIGNAGE. REFER TO ELECTRICAL.
  - MAKE FINAL TERMINATIONS ON LIGHTED SIGNAGE.
  - INSTALL CHECK-IN KIOSKS & COORDINATE W/ VENDOR.
  - WHEN REQUIRED BY AHJ, G.C. IS RESPONSIBLE TO ACQUIRE SEPARATE PERMIT(S) FOR INSTALLATION OF SITE SIGNS.
  - ALL SIGN PLACARDS FURNISHED BY WALMART AND INSTALLED BY GENERAL CONTRACTOR. ALL PAINT FOR PAVEMENT MARKINGS ARE SUPPLIED AND PAINTED BY THE GENERAL CONTRACTOR.
- SIGNAGE CONTRACTOR RESPONSIBILITIES:
  - FURNISH SPECIFIED CONDUIT FOR LIGHTED SIGNAGE.
  - MAKE REQUIRED EXTERIOR WALL PENETRATIONS, INSTALL CONDUIT, AND SEAL PENETRATIONS PER SPECIFICATION SECTION 07900.
  - INSTALL SIGNAGE PER DETAILS ON THIS SHEET.

### SIGNAGE LEGEND

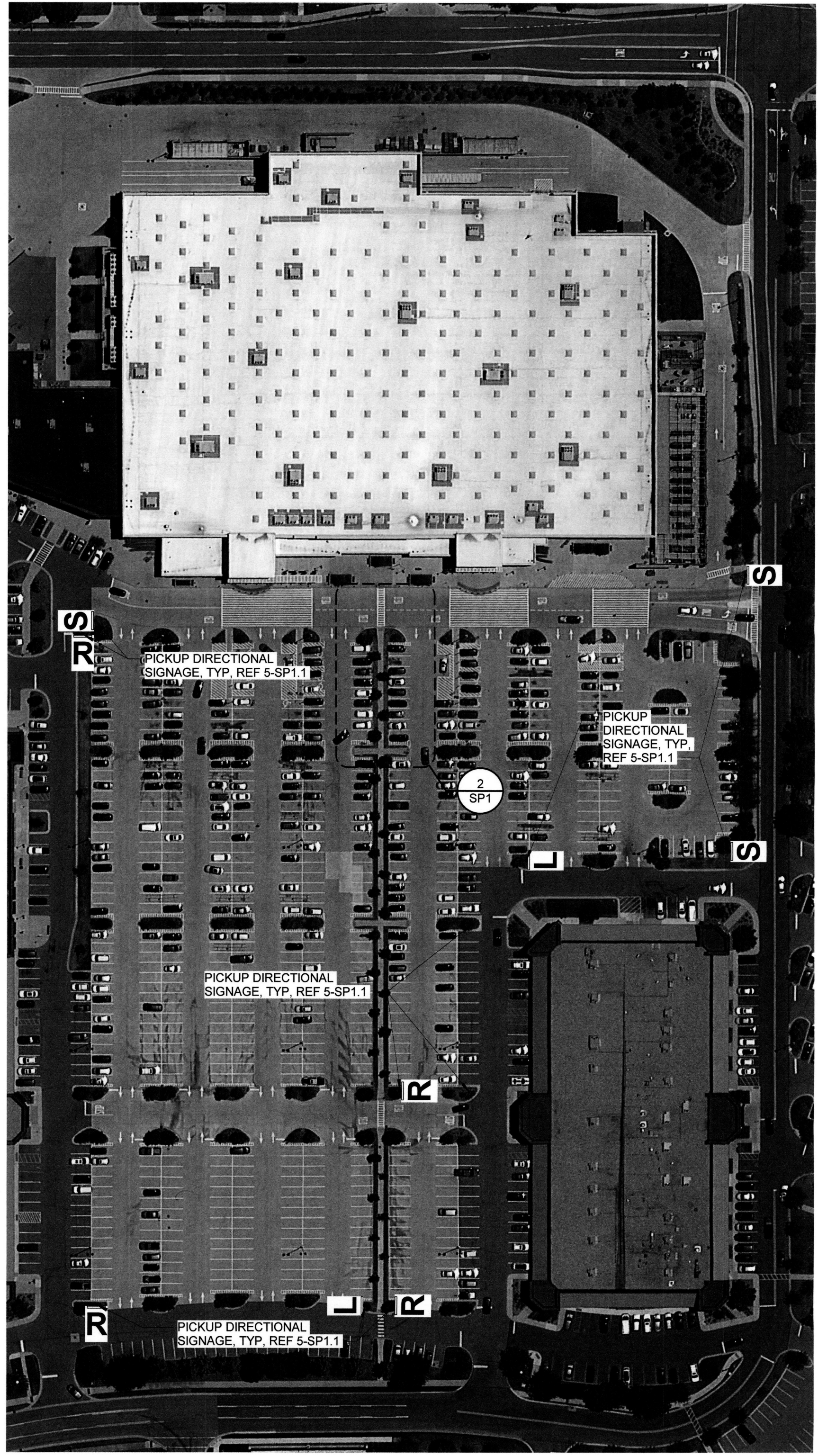
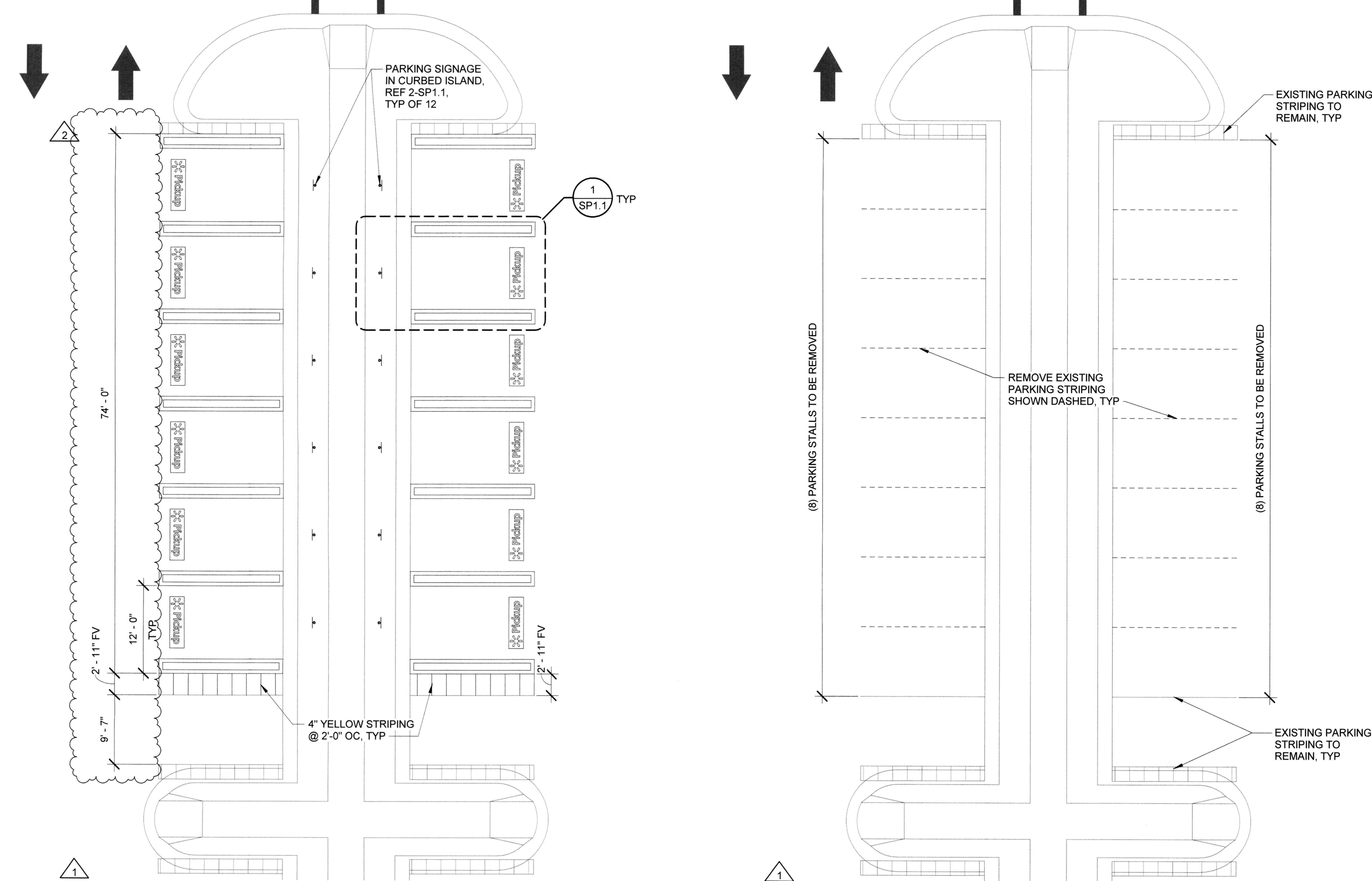
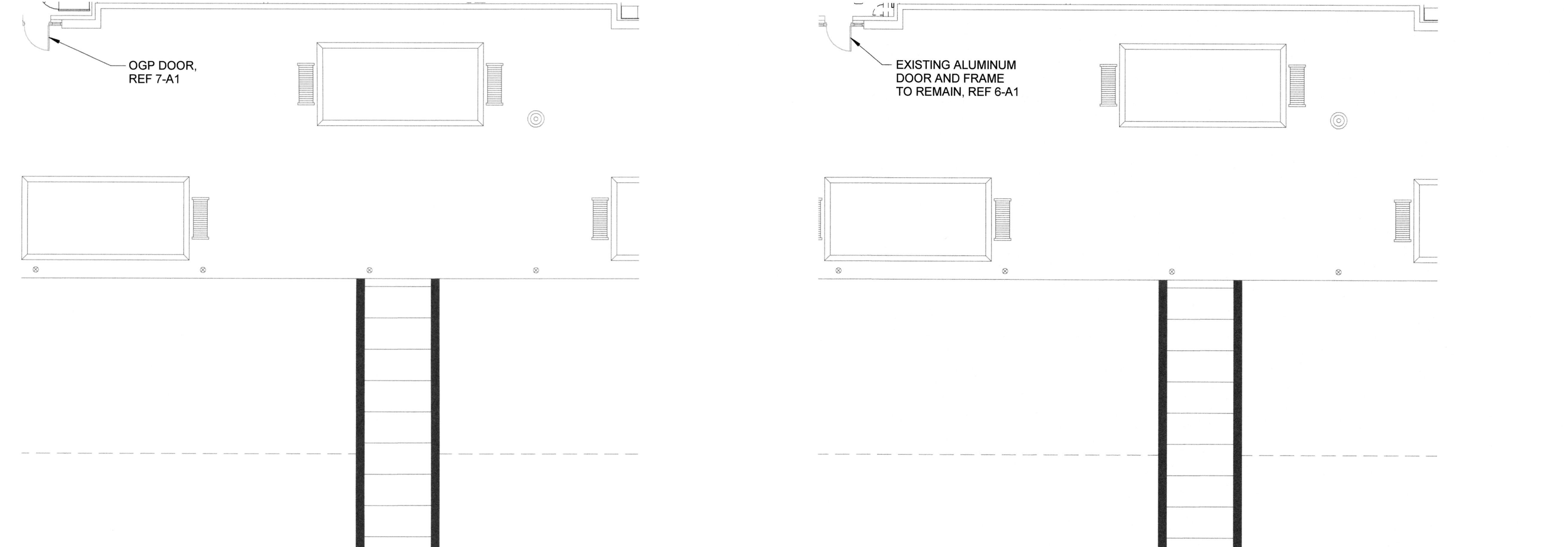


GC TO SEAL COAT AT STRIPING ON TOP OF ASPHALT PAVING

PARKING IS FOR ONLINE GROCERY PICKUP ONLY. THE CUSTOMER IS NOT REQUIRED TO EXIT THE AUTOMOBILE. UPON ARRIVAL, THE CUSTOMER NOTIFIES WALMART VIA TELEPHONE AND THE ASSOCIATE LOADS THE GROCERIES INTO THE CUSTOMER'S VEHICLE. NO ADDITIONAL HANDICAPPED PARKING SPACES ARE REQUIRED

NOTE TO GC: MAINTAIN EGRESS PATH DURING CONSTRUCTION WHEN WORK IS NOT BEING CONDUCTED AT DOOR. LIMIT DISRUPTIONS OF EXIT DURING CONSTRUCTION. IF WORK REQUIRES BLOCKAGE OF THE DOOR, NOTIFY STORE MANAGEMENT AND COORDINATE WITH FIRE DEPARTMENT. ANY CHANGES TO EXISTING PARKING STALLS SHALL NOT INTRUDE INTO FIRE LANE. GC SHALL NOTIFY AOR SHOULD THIS CONFLICT ARISE

NOTE TO GC: MAINTAIN EGRESS PATH DURING CONSTRUCTION WHEN WORK IS NOT BEING CONDUCTED AT DOOR. LIMIT DISRUPTIONS OF EXIT DURING CONSTRUCTION. IF WORK REQUIRES BLOCKAGE OF THE DOOR, NOTIFY STORE MANAGEMENT AND COORDINATE WITH FIRE DEPARTMENT. ANY CHANGES TO EXISTING PARKING STALLS SHALL NOT INTRUDE INTO FIRE LANE. GC SHALL NOTIFY AOR SHOULD THIS CONFLICT ARISE



NOTE: THIS IMAGE IS FROM THE LATEST GOOGLE MAPS. INFORMATION IS ASSUMED EXISTING CONDITIONS AT THE PROJECT SITE. THE ARCHITECT OF RECORD HAS NOT VISITED THE SITE TO CONFIRM AND CANNOT BE HELD RESPONSIBLE FOR THE ACCURACY OF THE CONDITIONS ILLUSTRATED.

REFER TO SPEC SECTION 01500 FOR DETAILS AND REQUIREMENTS FOR STORMWATER POLLUTION CONTROLS AND SITE STORAGE OF MATERIALS AND EQUIPMENT. DEVIATION(S) FROM DETAILS SHOWN MUST BE SUBMITTED FOR APPROVAL IN ACCORDANCE WITH SPEC SECTION 01330.

ARCHITECTURAL FINISH FLOOR = 100.00  
NOTE: FINISH FLOOR ELEVATION AT ALL EXTERIOR DOORS = 100.00 UNLESS NOTED OTHERWISE

3 ENLARGED SITE PLAN  
3/32" = 1'-0"

2 ENLARGED DEMO PLAN  
3/32" = 1'-0"

1 SITE PLAN  
1" = 80'-0"

Frederick D. Ostrosky Architect  
478-338-5004  
1905 N. 2ND ST  
RODGERS, AR 72758  
DESIGNED BY: WIK

STIPULATION FOR REUSE  
THIS DRAWING WAS PREPARED FOR USE IN CONNECTION WITH THE PROJECT IDENTIFIED HEREIN. IT IS NOT TO BE REUSED FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OF RECORD. THE ARCHITECT OF RECORD AND ENGINEER ASSUME NO LIABILITY FOR ANY REUSE OF THIS DRAWING FOR ANY OTHER PROJECT WITHOUT THE WRITTEN CONSENT OF THE ARCHITECT OF RECORD AND ENGINEER.

Walmart  
NOVI, MI  
STORE NO. 5883  
23709  
PROTO: OGP

ISSUE BLOCK		
1	PR#1	08/09/19
2	CCD#1	10/22/19

CHECKED BY: FDO  
DRAWN BY: WIK  
PROTO CYCLE: 07/11/19  
DOCUMENT DATE: 07/22/19



SITE PLANS  
SHEET: SP1





