



# 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:** November 15, 2016

**REGARDING:** 42235 Grand River Ave, Parcel # 50-22-23-251-022

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

### I. GENERAL INFORMATION:

**Applicant**

PHILLIPS SIGN & LIGHTING INC.

**Variance Type**

SIGN VARIANCE

**Property Characteristics**

Zoning District:	B-3 (General Business)
Location:	SOUTH OF GRAND RIVER AND WEST OF MEADOWBROOK ROAD
Parcel #:	50-22-23-251-022

**Request**

The applicant is requesting a variance from the CITY OF NOVI Code of Ordinance Section 28-5(3) to allow for the installation of an additional 5.7 square foot non illuminated sign. One sign allowed. This property is zoned B-3 (General Business).

### II. STAFF COMMENTS:

**Proposed Changes**

Applicants request is for an additional 5.7 square foot non illuminated wall for customer direction sign one 10 square foot sign is allowed.

### 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. **PZ16-0049**, 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 is 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. **PZ16-0049**, 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 Petitioner's 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**

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: <u>300.00</u>  Meeting Date: _____  ZBA Case #: <u>PZ</u>
PROJECT NAME / SUBDIVISION FELDMAN KIA				
ADDRESS 42235 GRAND RIVER		LOT/SIUTE/SPACE #		
SIDWELL # 50-22-23 - 251 - 022		May be obtain from Assessing Department (248) 347-0485		
CROSS ROADS OF PROPERTY FOUNTAIN PARK DRIVE AND GRAND RIVER				
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input checked="" 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 checked="" type="checkbox"/> NO				
<b>II. APPLICANT INFORMATION</b>				
<b>A. APPLICANT</b>		EMAIL ADDRESS STEPHANIE@PHILLIPSSIGN.COM	CELL PHONE NO.	
NAME ED PHILLIPS		TELEPHONE NO. 586 468 7110		
ORGANIZATION/COMPANY PHILLIPS SIGN & LIGHTING INC.		FAX NO.		
ADDRESS 40920 EXECUTIVE DRIVE	CITY HARRISON TOWNSHIP	STATE MI	ZIP CODE 48045	
<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 JAY & MARLA FELDMAN		TELEPHONE NO.		
ORGANIZATION/COMPANY FELDMAN KIA		FAX NO.		
ADDRESS 42235 GRAND RIVER	CITY NOVI	STATE MI	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 <u>28-5(3)</u>	Variance requested	<u>ADD'L 5 SQFT NON LIT SIGN (ONE SIGN PER PARCEL)</u>		
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 checked="" 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>				
<ul style="list-style-type: none"> <li>• Dimensioned Drawings and Plans</li> <li>• Site/Plot Plan</li> <li>• Existing or proposed buildings or addition on the property</li> <li>• Number &amp; location of all on-site parking, if applicable</li> </ul>		<ul style="list-style-type: none"> <li>• Existing &amp; proposed distance to adjacent property lines</li> <li>• Location of existing &amp; proposed signs, if applicable</li> <li>• Floor plans &amp; elevations</li> <li>• Any other information relevant to the Variance application</li> </ul>		





# 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 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

ACCESSORY BUILDING    USE    OTHER \_\_\_\_\_

## VI. APPLICANT & PROPERTY SIGNATURES

### A. APPLICANT

Applicant Signature

9-15-16

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.

Property Owner Signature

9-14-16

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



**Community Development Department**

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Novi, MI 48375  
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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.

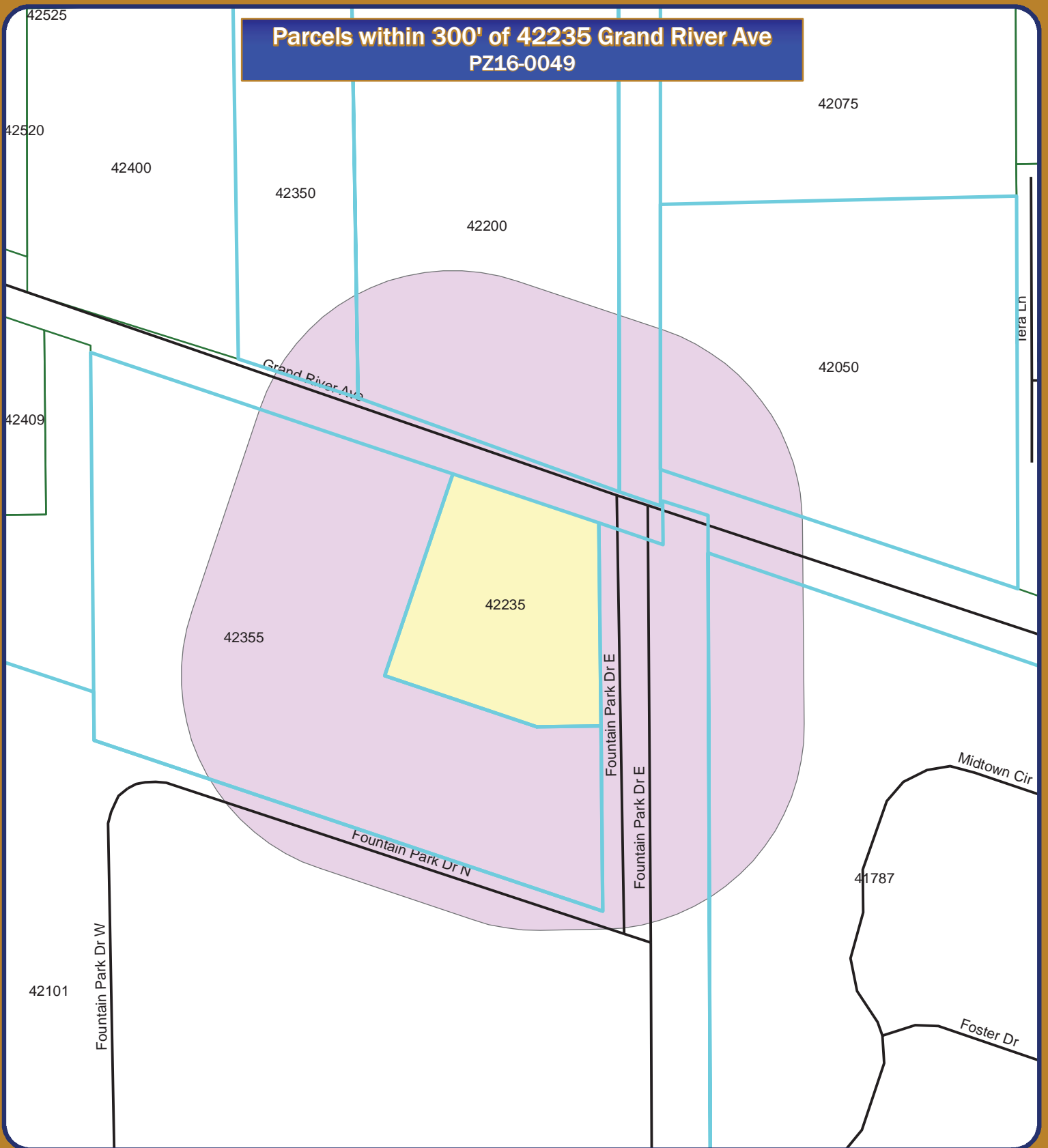
The failure to grant this causes problems with the flow of traffic. Allowing us this small directional type sign will ease traffic flow

## 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.

Granting this variance will not interfere with any surrounding properties at 5.5 sq ft.

**Parcels within 300' of 42235 Grand River Ave  
PZ16-0049**



Map Author: Jon Gartha  
Date: October 14, 2016  
Address List for 50-22-23-251-022  
Version #: 1.0

Amended By:  
Date:  
Department:

**MAP INTERPRETATION NOTICE**

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map.

**Map Legend**

- 300' Buffer
- Subject Property
- Tax Parcel

**Municipality**

- Novi
- Novi Twp.



**City of Novi**

IT Department  
GIS Division  
45175 Ten Mile Rd  
Novi, MI 48375  
cityofnovi.org



1 inch = 193 feet







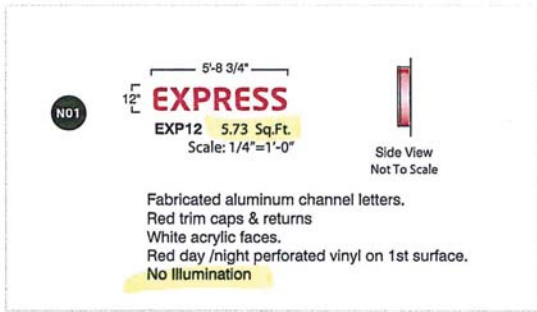
KIA Dealer Identity Program

*Proposed 5.8 ft  
Sign - Non LIT*



MI031 FELDMAN KIA





Any non-compliant Kia logo (i.e., window vinyl, doors/entry vinyl, parking signs, directional signs, multi-tenant signs, reader board graphics, etc.) not represented in this proposal must be updated by the Dealer to the current compliant Kia logo or must be removed.

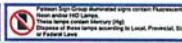
Customer Approval: \_\_\_\_\_

Date: \_\_\_\_\_

**NOTE: DIMENSIONS ARE APPROXIMATE PENDING FINAL ENGINEERING**



The sign intended to be installed in accordance with the requirements of  
Kiaa E01 of the National Electrical Code and/or other applicable local codes.  
This includes proper grounding and bonding of the sign.



It is advised that this client is advised to determine requirements to install this sign with  
KIAA E01 of the National Electrical Code and/or other applicable local codes and to ensure that  
the sign is properly grounded and bonded to the building's electrical system. The sign must  
comply with all applicable local, provincial, state, or federal laws.

CLIENT:	MIDST FREEMAN KIA
LOCATION:	42235 GRAND RIVER AVE. NOVI, MI 48357
DESIGNER:	A. MATTHEWS
REVISED BY:	REV:
PAGE:	3/4
SCALE:	AS NOTED
DATE:	05-16-16

- E01 KPSN10 Pylon Sign Head
- E02 KWLN55 Wall Sign
- N01 EXP12 Express Letters



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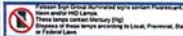
**PATTISON**  
SIGN GROUP INC.  
410 N. CEDAR BLUFF RD. • SUITE 101 • KNOXVILLE, TN 37923  
• Tel (865) 693-1105 • Fax (888) 694-1106 • Toll Free (888) 218-1976

Customer Approval: \_\_\_\_\_  
Date: \_\_\_\_\_

NOTE: DIMENSIONS ARE APPROXIMATE PENDING FINAL ENGINEERING



This sign intended to be installed in accordance with the requirements of Article 608 of the National Electrical Code and/or other applicable local codes. This includes proper grounding and bonding of the sign.

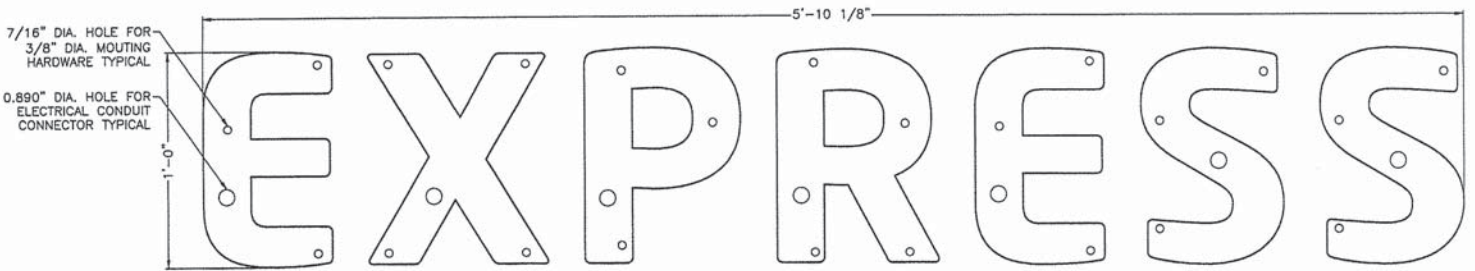


It is assumed that the client is responsible for obtaining all necessary permits and approvals from the appropriate local, state, and federal agencies. The client is responsible for obtaining all necessary permits and approvals from the appropriate local, state, and federal agencies. The client is responsible for obtaining all necessary permits and approvals from the appropriate local, state, and federal agencies.

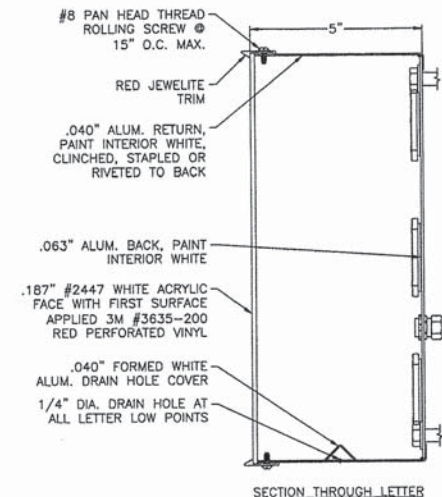
CLIENT:	M031 Feldman Kia
LOCATION:	42235 Grand River Ave. Novi, MI 48357
DESIGNER:	A. Matthews
DATE:	05-16-16
REVISED BY:	
REVISION:	
PAGE:	4/4
SCALE:	AS SHOWN

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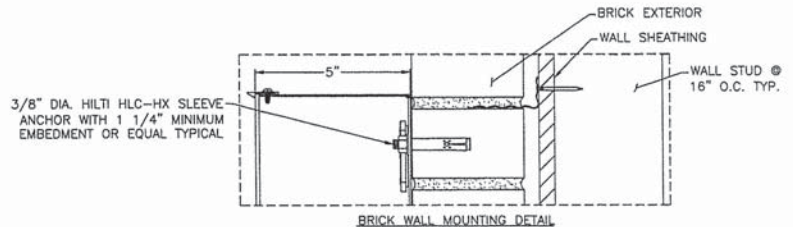
www.pattisonsgn.com



MOUNTING LOCATION ELEVATION

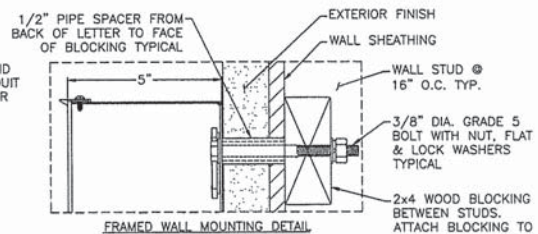


SECTION THROUGH LETTER



BRICK WALL MOUNTING DETAIL

HILTI ANCHOR SYSTEM OR EQUAL SHALL BE INSTALLED IN STRICT ACCORDANCE WITH THE MANUFACTURER'S SPECIFICATIONS & RECOMMENDATIONS



FRAMED WALL MOUNTING DETAIL

INSTALLATION ADDRESS:		
KIA 12" EXPRESS RED DAY/NIGHT FACE 90 MPH DESIGN INTENT		
CLIENT:		
410 N CEDAR BLUFF RD • SUITE 101 • INDIANVILLE, TN 37033 • Tel (605) 692-1100 • Fax (605) 692-1108 • Toll Free (855) 216-1878		
SHT.	2	DT: TRR
DF	3	DATE: 4/7/14
Project Number:		14-0294
Drawing Number:		B258807





September 14, 2016

Phillips Sign & Lighting  
40920 Executive Drive  
Harrison Township, Michigan 48045

RE: KIA – 42235 GRAN D RIVER

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

The face change to the ground sign and the wall sign have been approved. The section wall sign labeled "directional" is denied.

Sign Code Section 28-5(3) permits only one sign per parcel of property.

Enclosed please find the invoices for the sign permit fees for the two approved signs.

Should you wish to request consideration of a variance from the Zoning Board of Appeals you may do so by completing an application available on our website at [www.cityofnovi.org](http://www.cityofnovi.org) and submitting it along with a \$300.00 check to the Novi Community Development Department.

Please feel free to contact me with any questions at 248-347-0438 or [jniland@cityofnovi.org](mailto:jniland@cityofnovi.org)

Sincerely,

CITY OF NOVI

A handwritten signature in blue ink, appearing to read 'Jeannie Niland', is positioned above the printed name.

Jeannie Niland  
Ordinance Enforcement Officer