



cityofnovi.org

ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department

Case No. PZ13-0006

Location: 43280 Eleven Mile Road

Zoning District: TC, Town Center District

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow a second wall sign of 32 square feet located on the east face of a retail tenant suite. The property is located north of Grand River and east of Novi Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) permits a single wall sign for each business storefront in the TC district.

City of Novi Staff Comments:

- The applicant currently occupies a retail suite in the Novi Town Center shopping center development. The tenant is entitled to a single wall sign (previously approved and installed) under the Novi Sign Ordinance. The request is for an additional wall sign of 32 square feet. Staff cannot support the request as the failure to grant relief will not 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. In addition, the location and siting conditions of the retail suite are not unique compared with many other areas and businesses within the development.

Standards for Granting a Sign Variance

CITY OF NOVI, CODE OF ORDINANCES, Section 28-16 addresses Sign Variance Appeals:

- 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, specifically _____.
- 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 _____.



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

For Official Use Only

ZBA Case No: P2130006 ZBA Date: 5/13/13 Payment Received: \$ 300 (Cash)
 Check # 2671 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 Mark Chalou Date 12/27/12

Company (if applicable) CHALO DESIGNS

Address* 3458 PIPEVIEW City Dexter ST ZIP 48130
 *Where all case correspondence is to be mailed.

Applicant's E-mail Address: CHALODESIGNS@ATT.NET

Phone Number (734) 320-1215 FAX Number (734) 426-7780

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 43280 eleven mile rd ZIP 48375

2. Sidwell Number: 5022 - _____ 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 TC-1 OTHER

5. Property Owner Name (if other than applicant) UBS

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

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

- 1. Section 28-5(3) Variance requested 2ND SIGN ON EAST WALL
- 2. Section _____ Variance requested _____
- 3. Section _____ Variance requested _____
- 4. Section _____ Variance requested _____

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 Attached

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 Attached

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.

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

[Signature]
Applicants Signature

12/28/12
Date

[Signature]
Property Owners Signature

1/2/12
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



cityofnovi.org

January 8, 2013

Acme Architectural Signs
47115 Seven Mile Road
Northville, Michigan 48167

RE: RUNNING FIT – 43280 ELEVEN MILE ROAD

The sign permit applications for the above location have been reviewed. The sign located on the Eleven Mile side is approved. The second sign proposed on the east side has been denied.

Sign Code Section 28-5 (3) permits only one sign for this property.

Enclosed please find an invoice for the sign permit fee for the approved sign and registration fee for 2013. Please remit payment to the NOVI TREASURER'S OFFICE, 45175 TEN MILE ROAD, NOVI MI 48375. An electrical permit is also required for this installation and may be obtained from the Treasurer's Office.

Your application for the Zoning Board of Appeals has been received for the sign.

If you have any questions please feel free to contact me at 248-347-0438.

Sincerely,

CITY OF NOVI

A handwritten signature in black ink, appearing to read "Jeannie Niland". The signature is fluid and cursive, with a large initial "J" and "N".

Jeannie Niland
Ordinance Enforcement Officer



The tenant will patch and repair the sign facade to a like-new condition prior to installing the new sign.
 There are no high gloss finishes on the sign face, trim cap or returns

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43280 Eleven Mile Road Novi, MI - Facing parking lot and walmart

CLALOU DESIGN

NOT TO BE DUPLICATED IN ANY WAY.
 ALL RIGHTS RESERVED

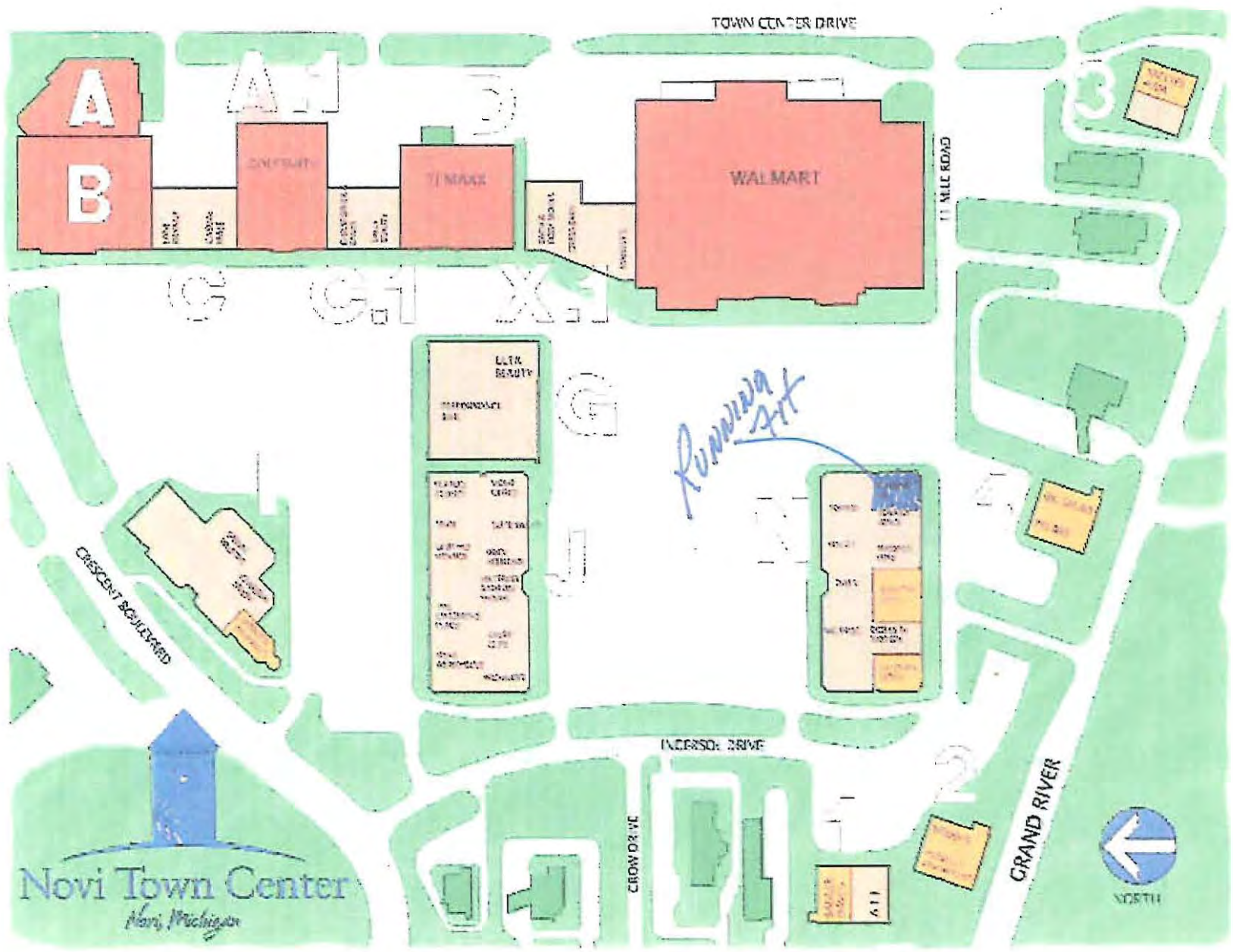
©Copyright Notice: This work is protected by Title 17 of the Copyright Laws of the United States as enumerated by Article I, Section 8 of the U.S. Constitution. The holder of the copyright enjoys all the rights and remedies under full force of the law.

Wall sign LED internally illuminated
 31' x 148' / 44 = 3136 sqft
 UL 48, 879 Compliant NEC 600 Compliant

Original Art, Sketches, Mechanics and materials originated by the designer are the property of the designer. Sketch Deposit covers minimal costs involved in developing a concept. The Sketch remains the property of the designer.



734-320-1215



City of Novi
Zoning Board of Appeals

Re: Running Fit wall sign on east side of building

A permit has been submitted for a second wall sign at 43280 Eleven Mile Road, within the Novi Town Center, for the Running Fit store.

The sign will face the large parking area adjacent to the tenant space and the front of the new walmart. The signage will be visible to the visitors to the Novi Town Center as they maneuver about the campus. And is not visible to any public roadway.

The existing signage is to be upgraded to the new corporate branding and the second sign will be exactly the same. The existing sign, although it faces Grand River, enjoys no visibility to the normal traffic movement.

A unique circumstance exists regarding the subject property (Campus/retail development - Novi Town Center) in that the tenant space is located at the end of the building. Being on the corner justifies the need for signage viewable from both sides.

The large campus development is not conducive to pedestrian traffic. The layout of the center regulates traffic movement via interior arterials. The buildings within the campus-retail development are situated a great distance from the main thoroughfares and the development is surround by outlot buildings containing various uses of retail and service.

The proposed use improvement will aid public safety in providing motorists with additional visual cues to aid in their driving decisions which will reduce driver anxiety. Driver anxiety and distraction results in a greater potential for vehicular/vehicular and vehicular/pedestrian encounters.

Additional visual cues, especially within a development of this nature which lacks sufficient directional and informational way-finding aids, promotes the general welfare in the reduction of public safety services. Better signage (Conspicuous, Visible, Readable, Legible) aids in the appreciation of the value of property.

The proposed use improvement will not be a detriment to public safety and welfare due to it being consistent with other approved signage for the development.

The use improvement will not impair an adequate supply of light and air adjacent to properties because the building is a substantial distance from other buildings.

The proposed use improvement will not unreasonably impair or diminish established property values within the surrounding area or impair the intent or the purpose of the ordinance. The sign will not exceed the square footage of previously approved signage on the said building and will be consistent to the south elevations.

Additionally the signage is consistent with the intent of the sign ordinance:

The standards are designed to promote the health, public safety, and welfare of persons within the community, including the promotion of traffic safety and aesthetics, and to aid in development and promotion of business and industry by providing sign regulations that encourage creativity, effectiveness, and flexibility in design and use of such devices without creating detriment to the general public.

(a) Encourage good design in the context of the overall image and visual environment of the city, and prescribe sound practices with respect to size, spacing, illumination, type and placement of signs for the purpose of safeguarding and enhancing properties in each of the various types of zoning districts.

(b) Enhance the appearance of the business community, taking into account the nature of the use, and thus stimulate as well as protect the economic vitality of the city and the orderly growth and development of business and industry in the city.

(c) Provide for signage that is adequate but not excessive and that displays a message through use of pictures, symbols and logos for rapid comprehension by the public

k) Preserve property values.

(l) Recognize that advertising signs are a legitimate advertising medium in the locations which neither lessen the visual attributes of the city through the placement of such signs, nor cause confusion, safety problems or lessen the ability to identify local businesses through visual clutter.

(m) Regulate the number and size of advertising signs within the city in the interests of economic prosperity, civic pride, quality of life and general welfare of the people who reside in, are visiting, are employed in or conduct business in the city.

