



# 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: January 10, 2017

REGARDING: 27200 Beck Road, Parcel # 50-22-16-176-033

BY: Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

SignArt, Inc. (Mitchell Conroy)

**Variance Type**

SIGN VARIANCE

**Property Characteristics**

Zoning District:	OST (OFFICE SERVICE TECHNOLOGY)
Location:	NORTH OF GRAND RIVER AVENUE, EAST OF BECK ROAD
Parcel #:	50-22-16-176-033

**Request**

The applicant is requesting a variance from the CITY OF NOVI Code of Ordinance Section 28-5(2)a.2.ii to allow increased height of an existing ground sign to 8 feet, 6 feet allowed. The property is zoned OST (Office Service Technology).

### II. STAFF COMMENTS:

**Proposed Changes**

The applicant is requesting a variance to increase the height of the existing 6 foot ground sign to 8 feet.

### 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. **PZ16-0061**, 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. **PZ16-0061**, 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

**RECEIVED**

NOV 28 2016

CITY OF NOVI  
 COMMUNITY DEVELOPMENT

**APPLICATION MUST BE FILLED OUT COMPLETELY**

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>				Application Fee: <u>\$300<sup>00</sup></u>	
PROJECT NAME / SUBDIVISION Citygate Marketplace				Meeting Date: <u>1/10/2017</u>	
ADDRESS 27200 Beck Road		LOT/SIUTE/SPACE # N/A		ZBA Case #: <u>PZ16-0061</u>	
SIDWELL # 50-22-16 - 176 - 033		May be obtain from Assessing Department (248) 347-0485			
CROSS ROADS OF PROPERTY Citygate Drive and Beck Roads					
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 checked="" 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 mconroy@signartinc.com		CELL PHONE NO.	
NAME Mitchell Conroy				TELEPHONE NO. 269-381-3012	
ORGANIZATION/COMPANY SignArt, Inc.				FAX NO. 269-381-0999	
ADDRESS 5757 E. Cork St.		CITY Kalamazoo		STATE MI	ZIP CODE 48048
<b>B. PROPERTY OWNER</b> <input checked="" type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:		EMAIL ADDRESS dsmarkus@yahoo.com		CELL PHONE NO. 248-892-2222	
NAME Doraid Markus				TELEPHONE NO. 248-892-2222	
ORGANIZATION/COMPANY Grand Beck Partners, LLC				FAX NO. N/A	
ADDRESS 640 North Old Woodward, Suite: 204		CITY Birmingham		STATE MI	ZIP CODE 48009
<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 checked="" type="checkbox"/> OTHER <u>OST</u>					
<b>B. VARIANCE REQUESTED</b>					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section <u>Section 28-5(3)</u> Variance requested <u>Multi-Tenant Ground Sign Height Variance</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> <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

[Signature]  
Applicant Signature

11.23.16  
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.

[Signature]  
Property Owner Signature

11.23.16  
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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# ZONING BOARD OF APPEALS VARIANCE APPLICATION CHECKLIST

The following items are required for a complete Variance application. Incomplete applications will be returned.



### **Signed Application Form**

Complete the Zoning Board of Appeals application form. Application must be signed by the applicant and the property owner (if different).



### **Response to Variance Review Standards – Dimensional, Use, or Sign**

Select the applicable Review Standards for the requested Variance and complete in full. Use additional paper if needed. If you don't know which Review Standards to complete, call the Community Development Department at 248.347.0415 for guidance.



### **Dimensioned Site Plan (1 copy & 1 digital copy submitted as a PDF)**

- Existing or proposed buildings or additions on the property.
- Number and location of all on-site parking spaces.
- Existing and proposed distances to adjacent property lines.
- Location of existing and proposed signs, if applicable.
- Any other information relevant to the Variance application.



### **Dimensioned Drawings and Plans (1 copy & 1 digital copy submitted as a PDF)**

- Floor plans and elevations with all proposed buildings and additions.
- All existing and proposed signs on the property (photographs may be used).
- For use variances, include floor plan showing the existing and proposed layout and functions of each area.
- For multi-family residential structures or projects, a summary showing the existing and proposed number of dwelling units by type (efficiency, one-bedroom, two-bedroom, etc.)



### **Other Helpful Information – Optional (1 copy & 1 digital copy submitted as a PDF)**

- Photographs of the lot or structure that shows the special conditions or circumstances described in the application.
- Photographs or maps that show how other properties in the area enjoy the same type of property rights related to the Variance.
- Letters of support from the neighbors who would be most affected by your request.



### **Fee (make check payable to the City of Novi)**

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

### **Additional Information**

In the course of reviewing the application, the Planning Department staff may request additional information from the applicant.



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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:

See Attached Document

## **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.

See Attached Document

## **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.

See Attached Document

## **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.
  1. The new "City Gate" commercial development, which was under construction at the time of sign approval and zoning variance number PZ16-0028, which allowed for a variance to the number of tenants on a multi-tenant sign to be reduced to three (3) where four (4) are required by code. Beyond the reduction in tenant panels required, all other aspects of code restrictions for the monument sign were followed. Due to unforeseen site issues with visibility we are requesting a 2' 0" height variance to increase the sign from 6' 0" maximum height up to 8' 0" for the purposes of visibility to pedestrians and traffic. The current sign is blocked by an approximately 3' 0" tall retaining wall that was built, in accordance with approved commercial plans. Due to set-back restrictions the sign could not simply be located closer to the road. At the current height, the sign has limited visibility to passing traffic, and in turn may cause a slight hazard to pedestrians attempting to identify tenants via the road sign. A height increase will eliminate the visibility issue with no negative effect in regards to safety of pedestrians or traffic. The sign location on the property is far beyond any site triangles that may exist for pedestrians entering/exiting the property. An approval for height variance would be similar to that of the neighboring shell gas station, which was approved for a height variance previously.
- b. **N/A**
- c. **N/A**
- d. **N/A**
- e. **N/A**

## **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.

Section 28-5(2), a.2.ii allows that ground signs be a maximum of 6 feet in height. Our proposed sign is 8' 0" in height. Leaving the existing sign at 6' 0" in height poses some safety



concerns with the public attempting to identify businesses by the freestanding sign and tenant logos due to being blocked by a retaining wall constructed on the property. The sign cannot be re-located to a more convenient spot without becoming more of a hazard to entering traffic, and still will be limited on visibility. Raising the sign offers the best solution, and poses no additional issue from a visibility stand-point to traffic entering/exiting the property.

### **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 variance of the sign height will not take away from the aesthetic look of the sign, not cause an injustice to neighboring properties. It will in fact be more in line with the neighboring Shell station, which has a total sign height greater than 6' 0". Raising the sign maintains the spirit of the ordinance in that the property will not have an advantage in overall area, or set-back, both of which will be maintained, but it does allow the sign to function as intended. This function being to clearly and concisely identify business within the property, especially those driving by.



November 23, 2016

SignArt Inc.  
5757 E. Cork St.  
Kalamazoo, Michigan 49048

RE: 27200 BECK ROAD – BUSINESS CENTER SIGN

The sign permit application for the above location has been reviewed and denied.

Sign Code Section 28-5(2) a.2.ii allows ground signs to be a maximum of 6 feet in height. The proposed sign is 8 feet in height.

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

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

Sincerely,

CITY OF NOVI

Jeannie Niland  
Ordinance Enforcement Officer



November 23, 2016

SignArt Inc.  
5757 E. Cork Street  
Kalamazoo, MI 49048

269.381.3012  
800.422.3030  
FAX 269.381.0999

[www.signartinc.com](http://www.signartinc.com)



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

248.347.0415

**Re: Monument Sign – City Gate Marketplace, 27200 Beck Rd.**

To Whom It May Concern:

Enclosed please find a completed ZBA application, with scaled sign design and site plan for variance to raise height of existing multi-tenant monument sign at the above address. We will look forward to hearing back soon.

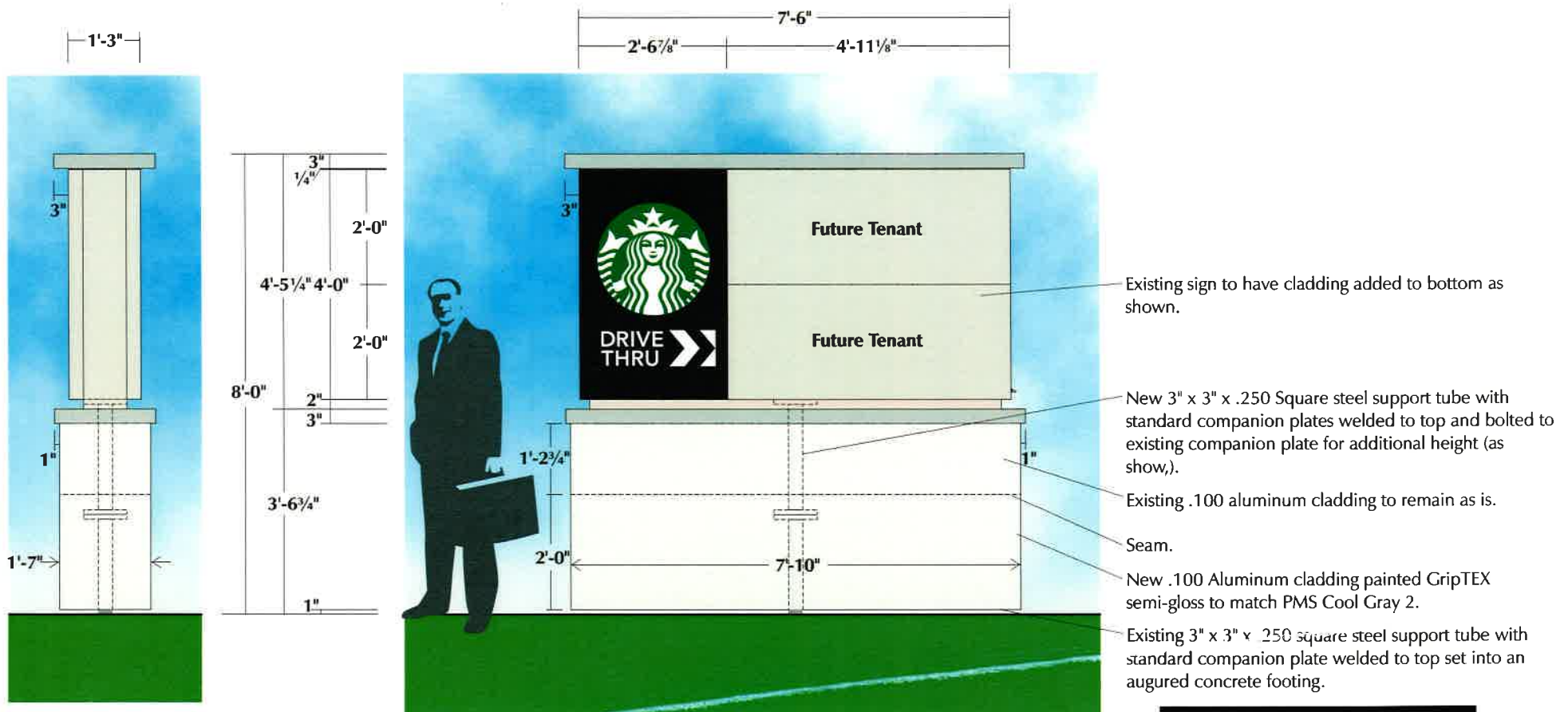
Please do not hesitate to contact me if you have any questions or concerns.

Best regards,

Mitch Conroy,  
Sales/Marketing Specialist

O: 269.381.3012  
C: 269.599.0143  
E: [mconroy@signartinc.com](mailto:mconroy@signartinc.com)

Enclosures



Sign #1 — Illuminated Double Faced Monument Sign

Scale: 3/8" = 1'-0"



Reverse Side



Night Time View

City Gate Marketplace — 27200 Beck Rd., Novi, MI

Lead #Mc2686

This is an original unpublished drawing, submitted for your use in connection with a project being planned for you by SignArt. It is not to be reproduced, copied or exhibited in any fashion without written permission of SignArt. ©2016

CityGate

AG 3-17-16 11-11-16KS  
6-9-16BJ  
7-20-16KS

11-14-16AG Approved for: \_\_\_\_\_

By: \_\_\_\_\_

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

**Sign #1**  
Existing Sign installed  
3'-0" behind property  
line.

