



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: November 20, 2018

REGARDING: 31196 BECK ROAD #50-22-04-100-038 (PZ18-0050)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Jack Shiklanian/Gabriana Jewelers

Variance Type

Sign Variance

Property Characteristics

Zoning District: General Business
Location: East of Beck Road and South of W Pontiac Trail
Parcel #: 50-22-04-100-038

Request

The applicant is requesting from the Novi Code of Ordinances Section 28-5(b),(1). For the installation of 33.8 square foot wall sign, 27.5 feet allowed. This property is zoned General Business (B-3).

II. STAFF COMMENTS:

Wall sign was inadvertently installed without a permit. 27.5 square foot sign allowed by right.

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. **PZ18-0050**, 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 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. **PZ18-0050**, 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 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

RECEIVED

SEP 19 2018

CITY OF NOVI
COMMUNITY DEVELOPMENT



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**ZONING BOARD OF APPEALS
APPLICATION**

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)		Application Fee: <u>\$400.00</u>	
PROJECT NAME / SUBDIVISION <u>Gabrianna Jewelers</u>		Meeting Date: <u>Nov 20th, 2018</u>	
ADDRESS <u>31196 Beck Rd.</u>		ZBA Case #: <u>PZ 18-0050</u>	
SIDWELL # 50-22-	May be obtain from Assessing Department (248) 347-0485		
CROSS ROADS OF PROPERTY <u>Pontiac Trail / Beck Rd.</u>			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input type="checkbox"/> NO		REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input 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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS	
NAME		CELL PHONE NO.	
ORGANIZATION/COMPANY		TELEPHONE NO.	
ADDRESS		FAX NO.	
CITY		STATE	
STATE		ZIP CODE	
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS	
NAME <u>Jack Shiklavian</u>		CELL PHONE NO. <u>248-460-3383</u>	
ORGANIZATION/COMPANY <u>Shopper at the Trail Plaza</u>		TELEPHONE NO.	
ADDRESS <u>31196 Beck Rd.</u>		FAX NO.	
CITY <u>Novi</u>		STATE <u>MI</u>	
STATE		ZIP CODE <u>48377</u>	
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<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. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>23-56(1)</u>		Variance requested <u>Signage Variance</u>	
2. Section _____		Variance requested _____	
3. Section _____		Variance requested _____	
4. Section _____		Variance requested _____	
IV. FEES AND DRAWINGS			
A. FEES			
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250			
<input checked="" 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. 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	
• 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 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

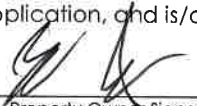
Applicant Signature

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

9-15-18

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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**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:

Sign drawing show 25ft required and allotted was up to 27.5. Upon inspection of sign electrical it measured 33.88 ft causing sign to be 6.388 above the allotted. Continue on attachment.

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.

Alpha business the sign is to bring clients and customer and with the sign it appeal to the targeted audience within the Area Novi.

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.

There is not any impact to the surrounding Area or location. The sign is slightly longer than allowed but doesn't interfere with surrounding properties.

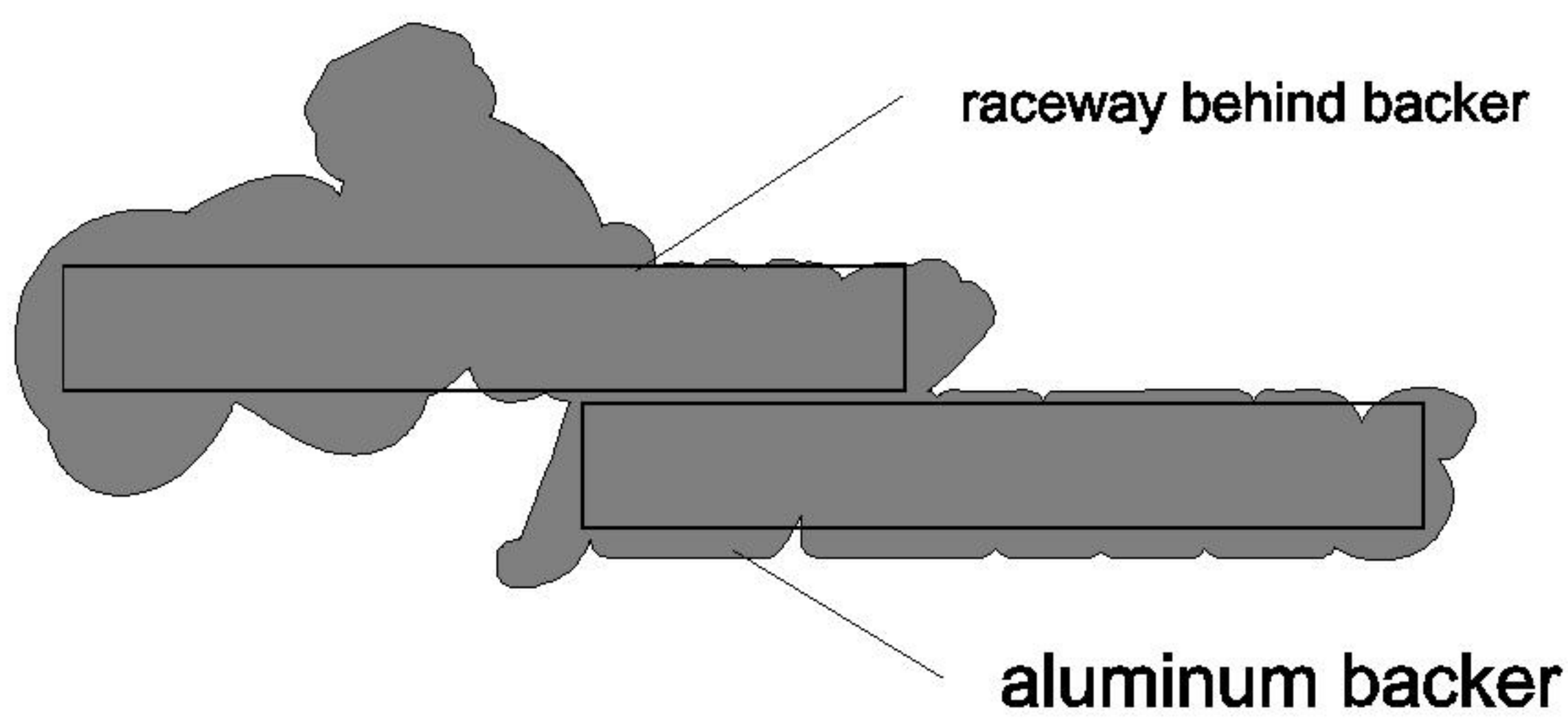
G Brown Jewelers.
PB-18-0842
9-19-2018

Sign Variance

d. Because the sign is slightly over the allowed. The sign was manufactured beyond the square footage allowed because of the Ring icon in the logo. Stretched make the sign not in compliance with drawing. We understood that during the electrical inspection the ordinance officer explained her standard requirements and that the sign is measured based on square of roadway. Please allow for sign to hang until the appeal hearing. Also we will re-measure sign and submit new site plan.



10 ft



Revised Site Plans