



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: October 13, 2015

REGARDING: KROGER FUEL STATION (CASE NO. PZ15-0034)

BY: Thomas M. Walsh, Building Official

I. GENERAL INFORMATION:

Applicant

Matthew Pisko on the behalf of Kroger Fuel Station

Variance Type

Sign Variance

Property Characteristics

Zoning District:

B-2, Community Business District

Site Location:

47580 Grand River Road, north side of Grand River Rd. and west of Beck Rd., West Market Square

Parcel #:

50-22-17-226-006

Request

The applicant is requesting variances from the CITY OF NOVI, CODE OF ORDINANCES, to allow additional signage for Kroger Fuel Station: 1) a variance from Section 28-5(3) to allow a second (single ground sign allowed) ground sign; 2) a variance from Section 4.19.2.C to allow canopy signage; and 3) a variance from Section 28-5(5)A to allow a changeable copy sign on the canopy (changeable copy signs allowed on ground signs only).



II. ZONING AND LAND USE:

The table below lists the zoning district, existing land use and future land use for the subject site and surrounding parcels.

Parcel	Zoning District	Existing Land Use	Future Land Use
Subject Property	B-2 Community Business District	Kroger	Local Commercial
North	B-2 Community Business District	Westmarket Square Shopping Center	Local Commercial
South	B-2 Community Business District	Westmarket Square Shopping Center	Local Commercial
East	B-2 Community Business District	Westmarket Square Shopping Center	Local Commercial
West	B-2 Community Business District	Westmarket Square Shopping Center	Local Commercial

III. STAFF COMMENTS:

Proposed Changes

The applicant is requesting approval for installation of additional wall signage for Kroger Fuel Station. The applicant is entitled to a single wall sign under the Novi Sign Ordinance. The applicant is requesting the following signage:

- Second (changeable copy) ground sign, proposed at 9.3' x 4.75' (44.12 sq. ft.)
- Changeable copy sign located on the canopy at 45.5 sq.ft.

This requires a variance from Section 28-5(3) to allow a second (single ground sign allowed) ground sign, a variance from Section 4.19.2.C to allow canopy signage and a variance from Section 28-5(5)A to allow a changeable copy sign on the canopy (changeable copy signs allowed on ground signs only).

IV. RECOMMENDATION:

The Zoning Board of Appeals may take one of the following actions:

1. I move that we **grant** the variance in Case No. **PZ15-0034**, 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. _____.

Zoning Board Of Appeals

Kroger Fuel Station

Case # PZ15-0034

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2. I move that we **deny** the variance in Case No. **PZ15-0034**, 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) 347-0415



Thomas M. Walsh
Building Official
City of Novi



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 Novi, MI 48375
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ZONING BOARD OF APPEALS APPLICATION

RECEIVED
SEP - 1 2015
CITY OF NOVI
COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$300.00
 Meeting Date: 10-13-15
 ZBA Case #: PZ 15-0034

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION Kroger D-632 Fuel Station			
ADDRESS 47580 Grand River		LOT/SUITE/SPACE #	
SIDWELL # 50-22-17 - 226		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY Grand River and Beck			
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 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			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS matthew.pisko@lprojectc.com	CELL PHONE NO. 313 671-7882
NAME Matthew Pisko		TELEPHONE NO. 734 367-4442	
ORGANIZATION/COMPANY The Project Collaborative		FAX NO. N/A	
ADDRESS 37704 Hills Tech Drive	CITY Farmington Hills	STATE MI	ZIP CODE 48331
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 fgj@nwmaejonwaco.com	CELL PHONE NO. 248-542-0078 248-417-3447	
NAME Mr. Frank Jonna	TELEPHONE NO. 248-352-1550 x 208		
ORGANIZATION/COMPANY Westmarket Square LLC, Suite 450	FAX NO. 248-352-8764		
ADDRESS 39533 Woodward Avenue SUITE #150	CITY Bloomfield	STATE MI	ZIP CODE 48304
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 <u>B-2 Community Business</u>			
B. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>Section 28-5(3)</u>	Variance requested	<u>additional ground sign (Grand River)</u>	
2. Section _____	Variance requested _____	_____	
3. Section <u>Section 4.19.2.C</u>	Variance requested	<u>allow a sign on a canopy (Fuel Canopy)</u>	
4. Section <u>Section 28-5(5)a.</u>	Variance requested	<u>changeable copy on a canopy sign (Fuel Canopy)</u>	
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 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. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
<ul style="list-style-type: none"> • Dimensioned Drawings and Plans • Site/Plot Plan • Existing or proposed buildings or addition on the property • Number & location of all on-site parking, if applicable 		<ul style="list-style-type: none"> • Existing & proposed distance to adjacent property lines • Location of existing & proposed signs, if applicable • Floor plans & elevations • 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

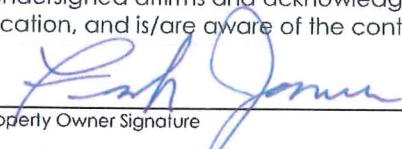
9-1-2015

 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

9-1-2015

 Date

VII. FOR OFFICIAL USE ONLY

DECISION ON APPEAL:

GRANTED

DENIED

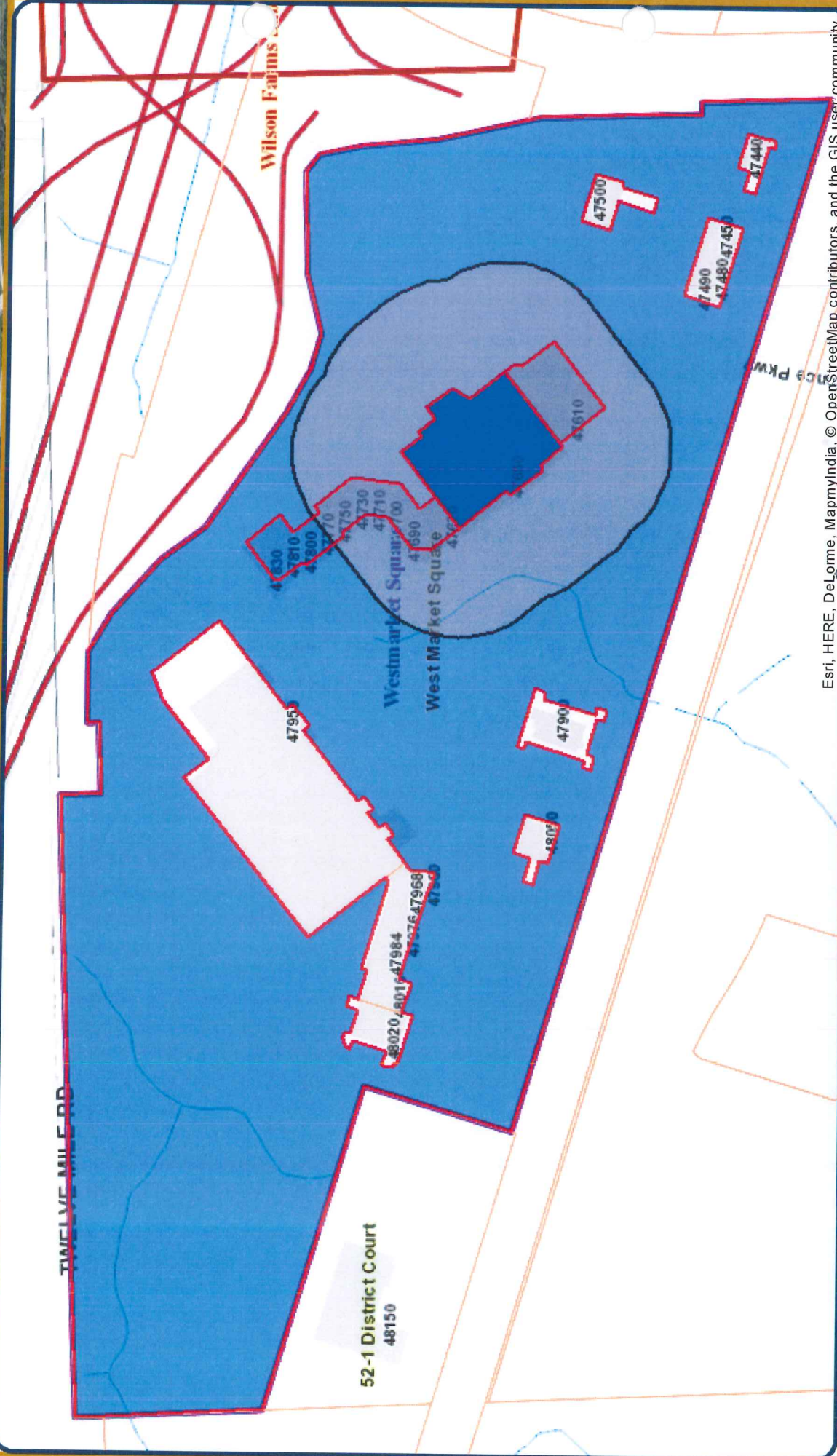
The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

 Chairperson, Zoning Board of Appeals

 Date

PZ15-0034

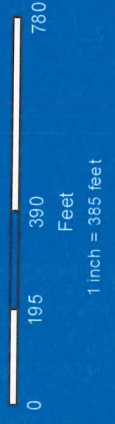
47580 Grand River Ave



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CITY OF NOVI
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Author:
Date: 9/16/2015



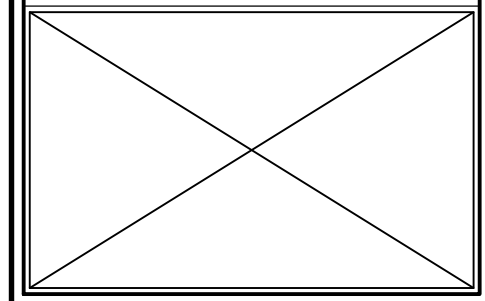
The Project Collaborative

37704 Hills Tech Drive
Farmington Hills, Michigan 48331
248.252.1411 Telephone info@projectcoll.com

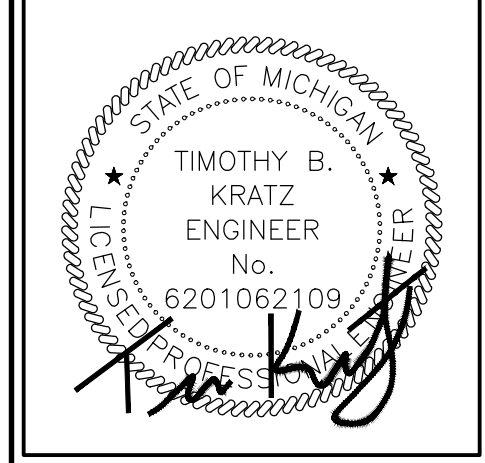
REVISIONS

NO.	DATE	DESCRIPTION
X	08.07.2015	SIGN APPROVAL
S	09.02.2015	SIGN VARIANCE

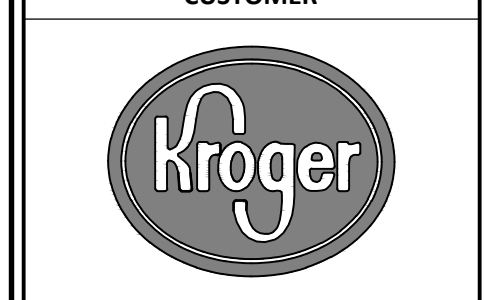
CONSULTANT



SEAL



CUSTOMER



PROJECT DESCRIPTION

**KROGER D632
RETAIL FUEL CENTER**

PROJECT LOCATION

**47580 GRAND RIVER AVENUE
NOVI, MI 48374
SECTION 17
(OAKLAND COUNTY)**

SHEET TITLE

**SIGN ELEVATIONS -
EXTERIOR**

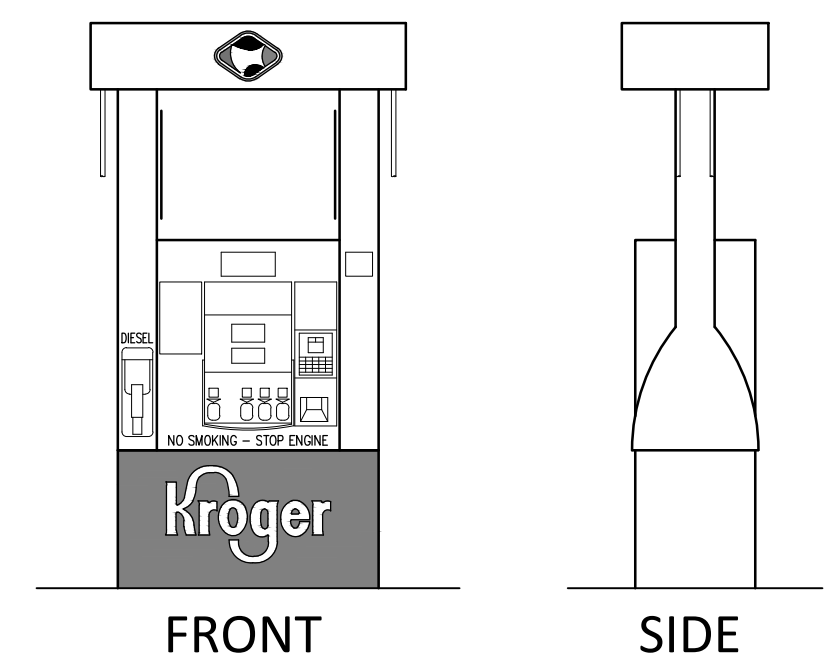
SHEET MANAGEMENT

PROJECT NO.: D632.A
DATE: 01.08.2015
CAD FILE: AG2.01.dwg
PROJECT MANAGER: M. PISKO
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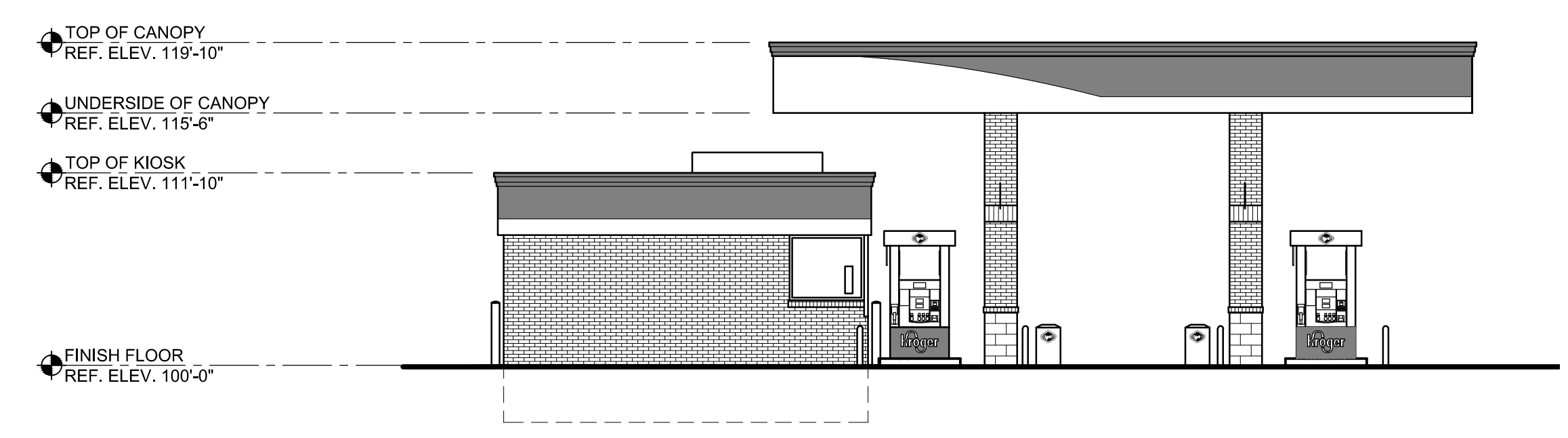
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AG2.01

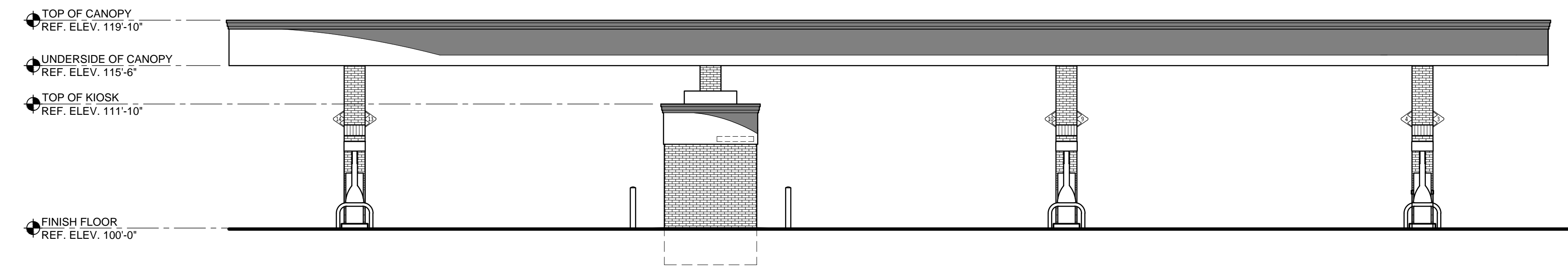
MARK	DESCRIPTION	MANUFACTURER / MATERIAL	AREA (SQ. FT.)	NOTES
1	ILLUMINATED DIGITAL PRICE SIGN (CANOPY)	LANDMARK SIGN ALLIANCE, INC.	45.50	
2	ILLUMINATED IDENTIFICATION SIGN (MONUMENT)	CUMMINGS SIGNS	11.30	
3	ILLUMINATED DIGITAL PRICE SIGN (MONUMENT)	LANDMARK SIGN ALLIANCE, INC.	8.96	
4				
5				
6				
7				
8				
9				



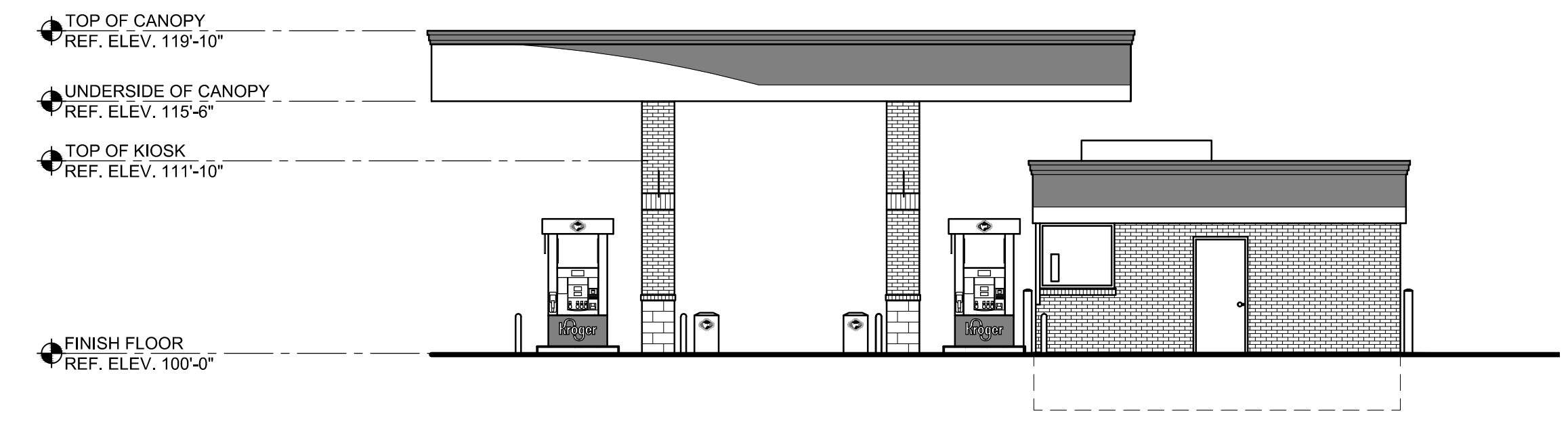
E DISPENSER ELEVATIONS
AG2.01 SCALE: 3/8" = 1'-0"



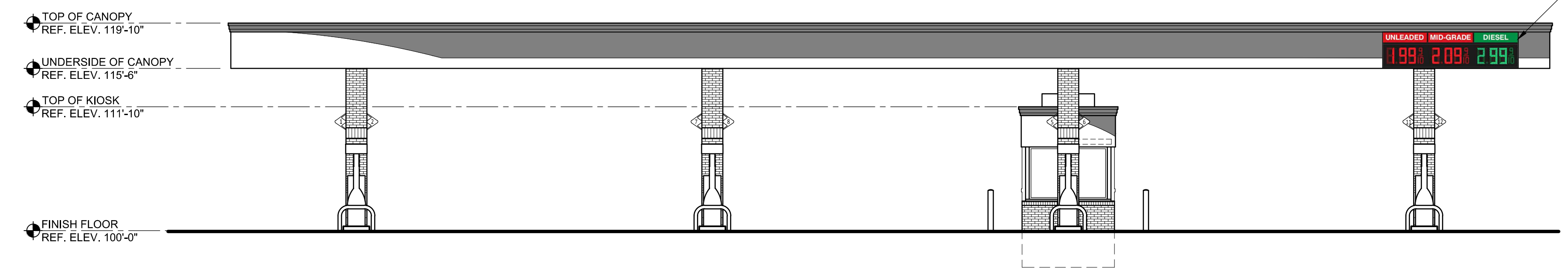
D NORTH ELEVATION
AG1.01 SCALE: 1/8" = 1'-0"



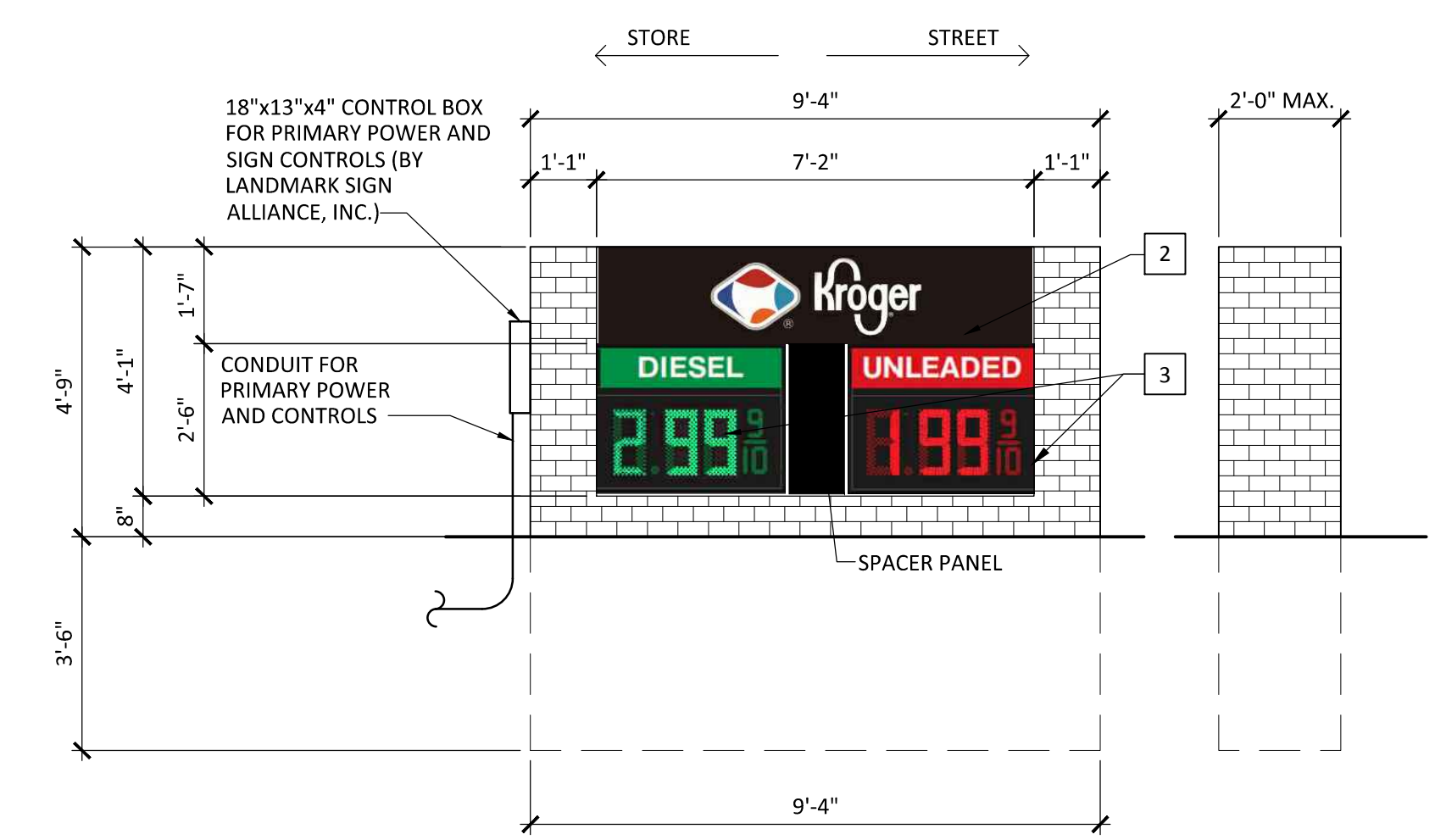
C EAST ELEVATION
AG1.01 SCALE: 1/8" = 1'-0"



B SOUTH ELEVATION
AG1.01 SCALE: 1/8" = 1'-0"



A WEST ELEVATION
AG1.01 SCALE: 1/8" = 1'-0"



1 MONUMENT SIGN
AG1.01 SCALE: 3/8" = 1'-0"

NOT FOR CONSTRUCTION

FILE NAME: H:\TFC\Projects\Kroger\0632\A\ComDocs\AG2.01.dwg LAST SAVED BY: Mike Vanderheide SAVED DATE: 8/20/2015 10:26 AM PLOTTED: 9/17/2015 2:45 PM