



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:** September 13, 2022

REGARDING: 27100 Wixom Road, Parcel # 50-22-17-101-022 (PZ22-0043)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Drew Gilmour – Kimley Horn

Variance Type

Sign Variance

Property Characteristics

Zoning District: This property is zoned Light Industrial (I-1)

Location: Target Drive Up, Wixom Road south of Grand River Ave

Parcel #: 50-22-17-101-022

Request

The applicant is requesting several variances from the City of Novi Sign Ordinance from Section 28-5(a) for additional ground signs (1 ground sign permitted, variance of 14 signs) also from section 28-5(a) a variance request for two (2) 12 feet high signs (6 feet high maximum allowed, variance of 6 feet) The variances requested will provide instructions to customers on how to properly use the Drive-Up service. This property is zoned Light Industrial (I-1)

II. STAFF COMMENTS:

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. **PZ22-0043**, 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. _____.

2. I move that we **deny** the variance in Case No. **PZ22-0043**, 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) 347-0417.

Larry Butler - Deputy Director Community Development - City of Novi



45175 Ten Mile Road
 Novi, MI 48375
 (248) 347-0415 Phone
 (248) 735-5600 Facsimile
www.cityofnovi.org

ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

| | | | | | |
|---|--|---|---|--|----------|
| I. PROPERTY INFORMATION (Address of subject ZBA Case) | | | | Application Fee: _____ | |
| PROJECT NAME / SUBDIVISION | | | | Meeting Date: _____ | |
| ADDRESS | | LOT/SIUTE/SPACE # | | ZBA Case #: PZ _____ | |
| SIDWELL # 50-22-_____-_____-_____ | | May be obtain from Assessing Department (248) 347-0485 | | | |
| CROSS ROADS OF PROPERTY | | | | | |
| 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 type="checkbox"/> SIGNAGE | | |
| DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? | | | | <input type="checkbox"/> YES <input type="checkbox"/> NO | |
| II. APPLICANT INFORMATION | | | | | |
| A. APPLICANT | | EMAIL ADDRESS | | CELL PHONE NO. | |
| NAME | | | | TELEPHONE NO. | |
| ORGANIZATION/COMPANY | | | | FAX NO. | |
| ADDRESS | | CITY | | 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 | | CELL PHONE NO. | |
| NAME | | | | TELEPHONE NO. | |
| ORGANIZATION/COMPANY | | | | FAX NO. | |
| ADDRESS | | CITY | | STATE | ZIP CODE |
| 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 _____ Variance requested _____ | | | | | |
| 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 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 | | | | | |
| <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

Drew Silmer

7/28/22

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.

[Signature]

7/28/22

Property Owner Signature

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

45175 Ten Mile Road
Novi, MI 48375
(248) 347-0415 Phone
(248) 735-5600 Facsimile
www.cityofnovi.org

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. **Describe below:**

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 storm water facilities. **Describe below:**

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. **Describe below:**

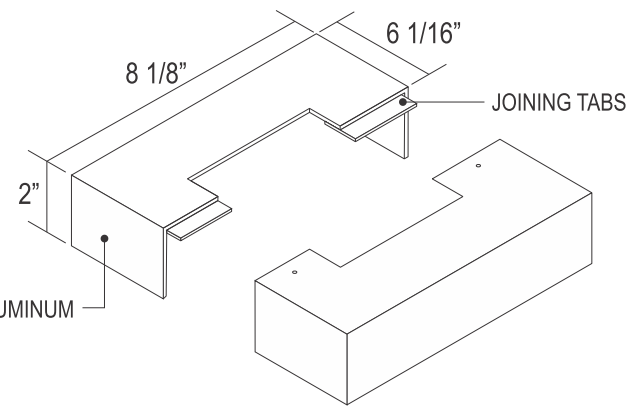
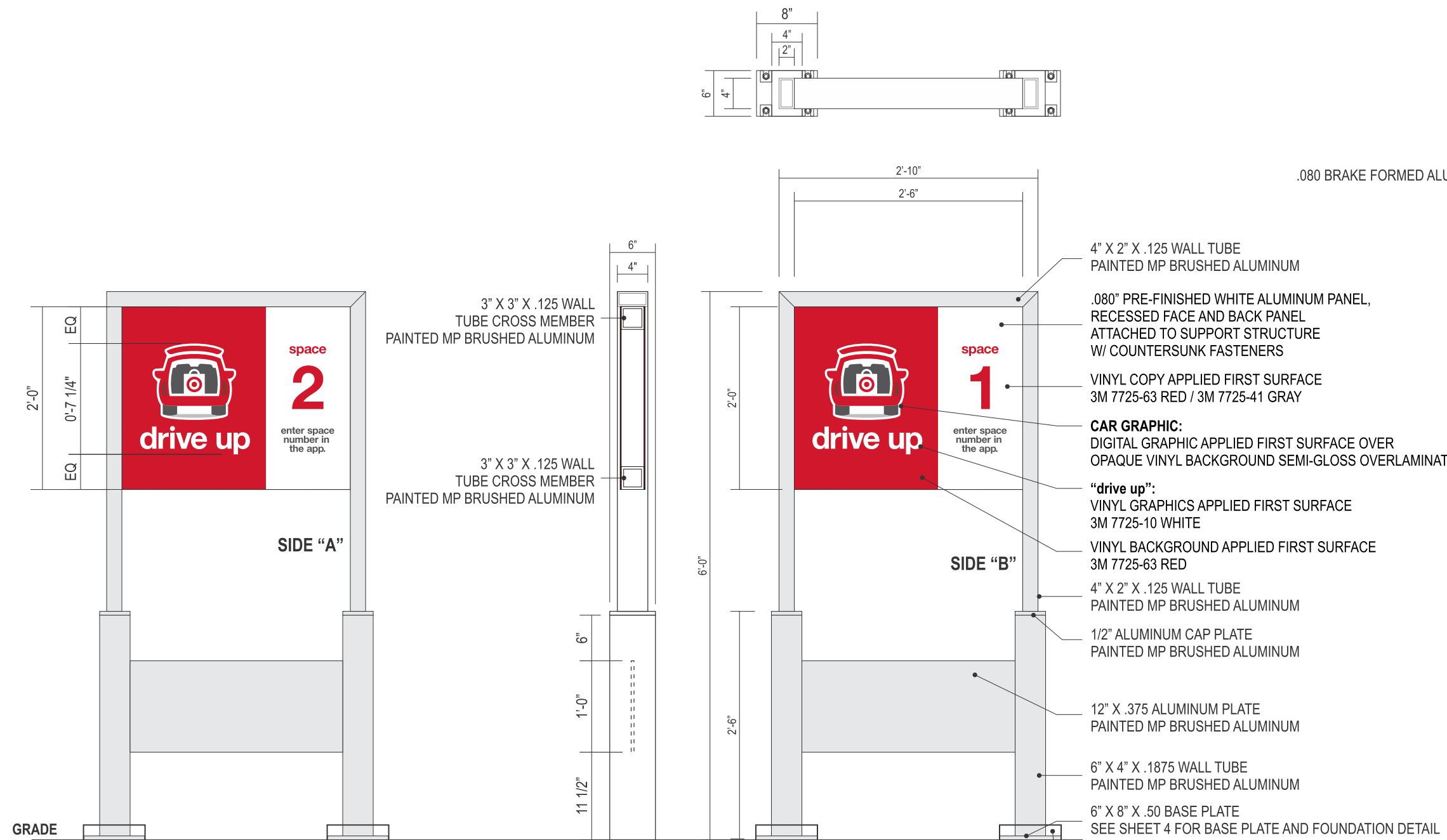
- d. Scale of Building or Lot Frontage.** A sign that exceeds permitted dimensions for area and/or height could be considered appropriate in scale due to the length of the building frontage (wall sign only) or length of the lot frontage (ground sign only). **Describe below:**
- e. Not Self-Created.** 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. **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.



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.











NON-ILLUMINATED D/F POST AND PANEL DRIVE-UP
 Scale: 3/4" = 1'-0"

NOTE: ALL SEAMS FULLY WELDED AND GROUND SMOOTH

| CAR LOGO COLORS | | | |
|---|-----------------------|---|-----------------------|
|  | Target Red PMS 186 |  | DARK RED PMS 188 |
|  | DARK GRAY PMS 425 |  | LIGHT GRAY PMS 421 |

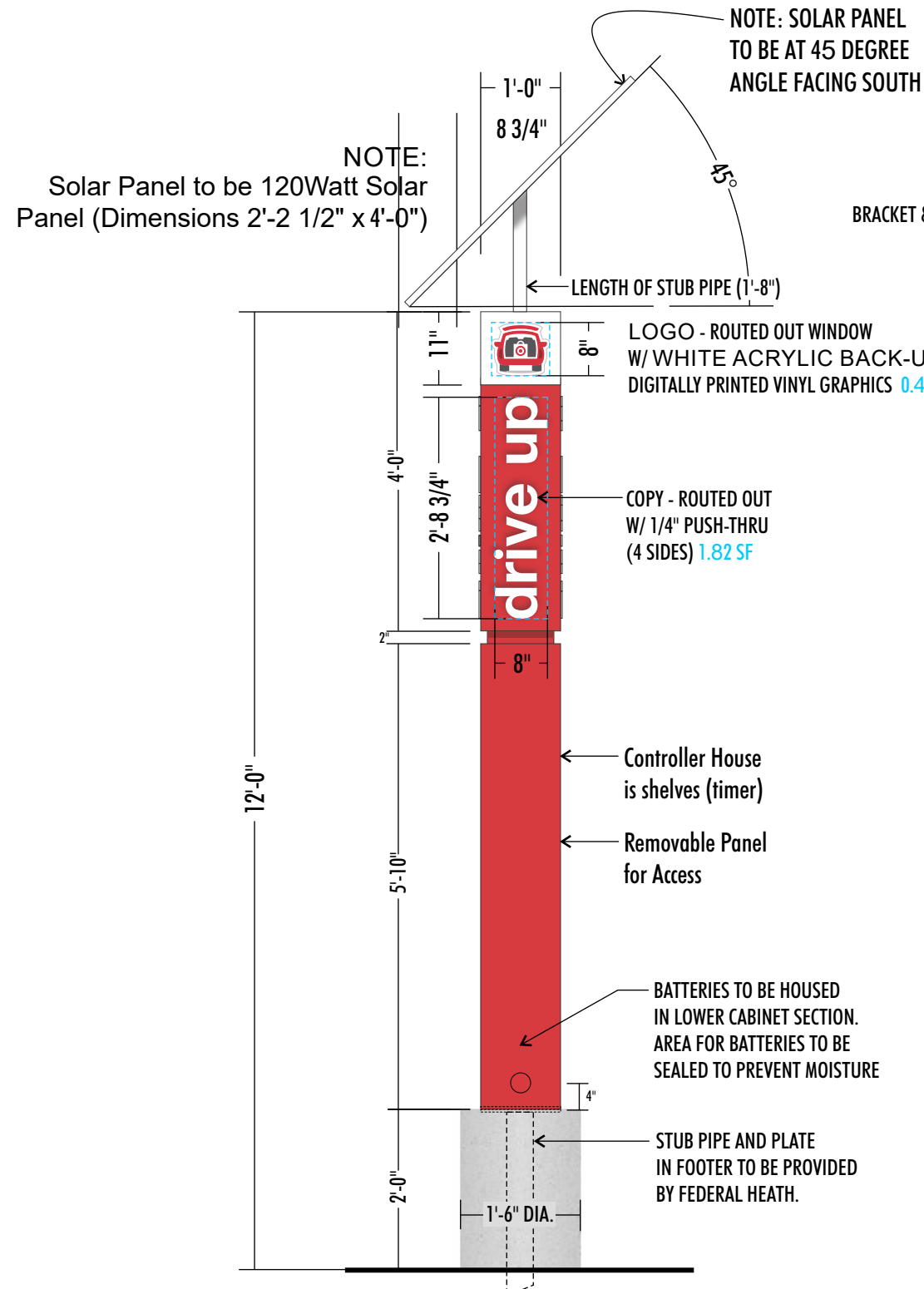
BEACON: 24VOLT SOLAR POWERED DRIVE UP BEACON

| MATERIAL FINISH COLORS | | | |
|---|--|---|---|
|  Target Red II R139422 AKZO (FULL GLOSS) |  AKZO 100% WHITE (FULL GLOSS) |  7328 WHITE Acrylic |  CLEAR Acrylic w/ DIFFUSER |
| Cabinets | Header/Supports | Logo Face | Push-Thru Copy |

| CAR LOGO COLORS | | | |
|---|---|--|---|
|  Target Red PMS 186 |  DARK RED PMS 188 |  DARK GRAY PMS 425 |  LIGHT GRAY PMS 421 |

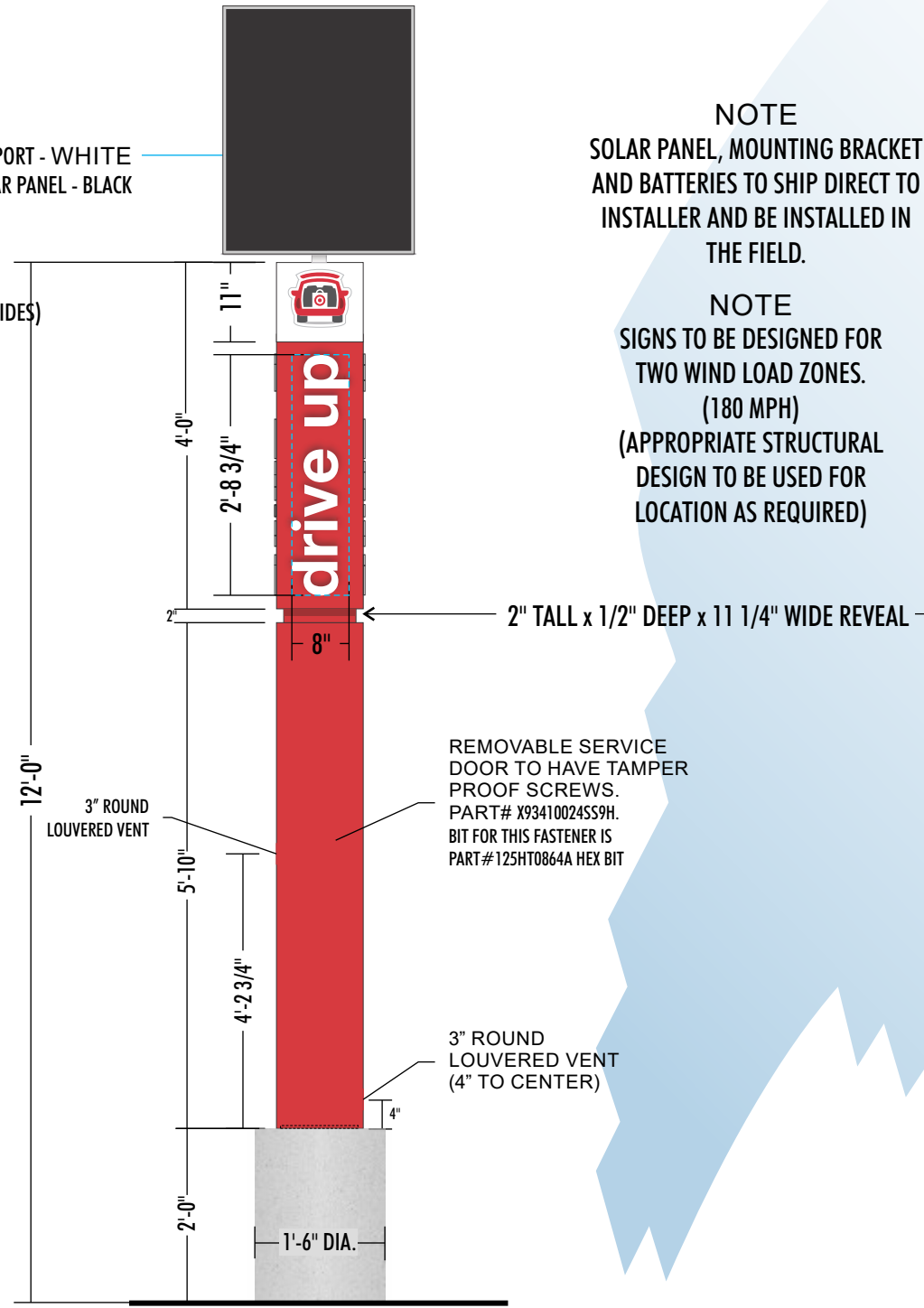
DESCRIPTION OF WORK

MANUFACTURE AND INSTALL BEACON SIGN AS SHOWN AND .125" ALUM SKIN & FRAME . COPY TO BE ROUT-OUT WITH 1/4" PUSH THRU IS 1/2" SHOULDER-CUT CLEAR ACRYLIC W/ FIRST WHITE VINYL AND DIFFUSER 2ND SURFACE. TOP (LOGO) IS 7328 WHITE ACRYLIC VINYL GRAPHICS FIRST SERVICE DOORS AS REQUIRED. ALL FASTENERS TO BE COUNTER-SUNK SCREWS. FACES AND POLE COVER TO BE PAINTED RED (SEE CHART) WHITE LED ILLUMINATION WITH SOLAR PANELS. BATTERIES SELF CONTAINED AS NOTED.



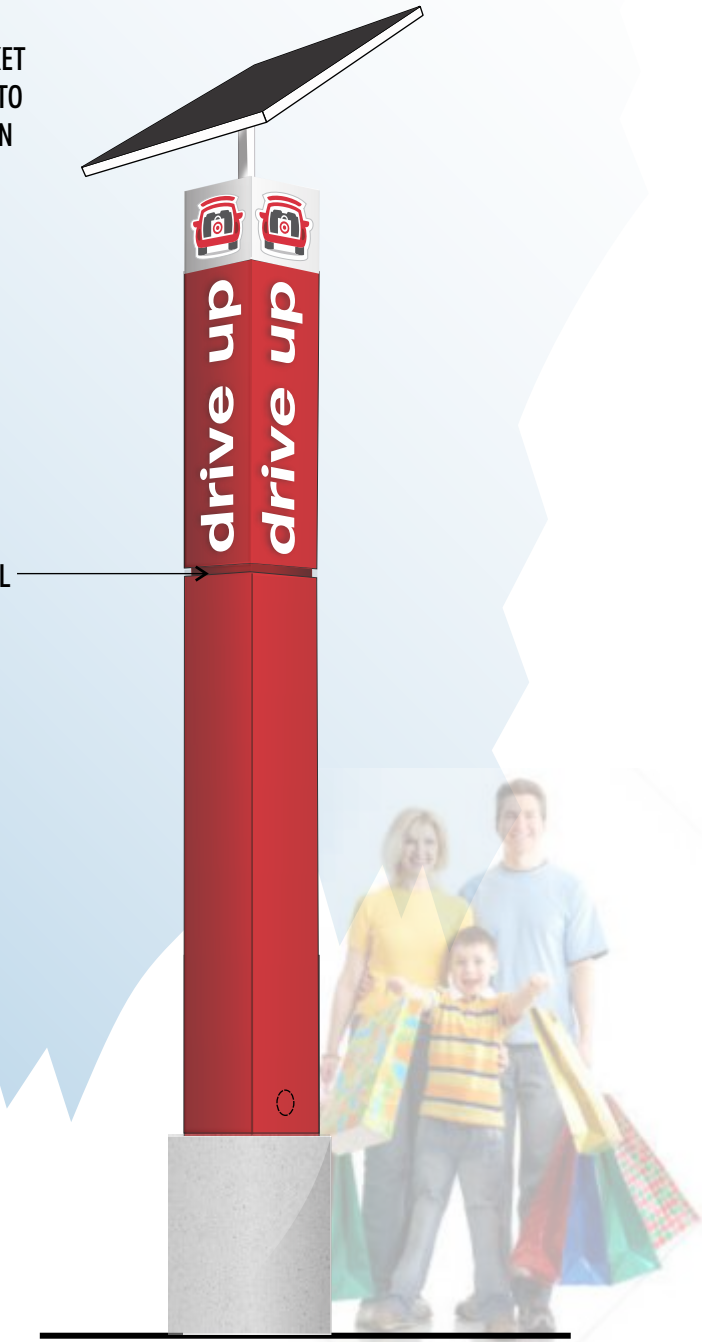
12'(FT) DRIVE-UP BEACON | FOUR(4) SIDED | SOLAR POWERED

scale 1/2"=1'-0"



12'(FT) DRIVE-UP BEACON | FOUR(4) SIDED | SOLAR POWERED

scale 1/2"=1'-0"



12'(FT) DRIVE-UP BEACON w/ SOLAR PANEL



View From
Wixom Rd

