

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, 2016

REGARDING: 40800 WEST THIRTEEN MILE ROAD, PARCEL # 50-22-01-300-015

BY: Larry Butler, Deputy Director Community Development

. GENERAL INFORMATION:

Applicant

CONLON INSTALLATIONS

Variance Type

SIGN VARIANCE

Property Characteristics

Zoning District: R-A (RESIDENTIAL ACREAGE)

Location: NORTH OF THIRTEEN MILE ROAD AND WEST OF M-5

Parcel #: 50-22-01-300-015

Request

The applicant is requesting a variance from the CITY OF NOVI Code of Ordinances; Section 28-5.(2) to allow construction of a 57.5 square foot monument sign. Under current ordinance 30 square feet is allowed. A variance from Section 28-1 is also requested to allow for a 7 foot separation between sign faces. Under the ordinance a two foot separation is allowed. This property is zoned R-A (Residential Acreage).

II. STAFF COMMENTS:

Proposed Changes

Staff recognizes the uniqueness of the property and the multiple uses within. The entrance configuration of the property is also atypical.

III. RECOMMENDATION:

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

1.	I	move	that	we	<u>grant</u>	the	variance	in	Case	No.	PZ16-0038,	sought	by for
		ficulty re	quiring					_ b	ecause	Petitio	oner has sho	own prac	tical
	(a) Without the variance Petitioner will be unreasonably prevented or limited with respect to use of the property because											sect	

Zoning Board Of Appeals CONLON INSTALLATIONS

September 13, 2016 Page 2 of 2

Case # PZ16-0	9
	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 mo	ve that we <u>deny</u> the variance in Case No. PZ16-0038 , sought by
for	because Petitioner has not shown
	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



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of sul	Application Fee:						
PROJECT NAME / SUBDIVISION	Meeting Date:						
ADDRESS		LOT/SIUTE/SPACE #	Meeting Date:				
SIDWELL # May be obtain from Assessing 50-22 Department (248) 347-0485 ZBA Case #: PZ							
50-22CROSS ROADS OF PROPERTY	Departine	111 (240) 347-0403					
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION J	URISDICTION?	REQUEST IS FOR:					
☐ YES ☐ NO		☐ RESIDENTIAL ☐ CO	MMERCIAL 🗌 VACANT PR	OPERTY SIGNAGE			
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIC	DLATION OR C	CITATION ISSUED?	yes 🗌 no				
II. APPLICANT INFORMATION							
A. APPLICANT	DRESS		CELL PHONE NO.				
NAME			TELEPHONE NO.				
ORGANIZATION/COMPANY			FAX NO.	FAX NO.			
ADDRESS		CITY	STATE	ZIP CODE			
B. PROPERTY OWNER	ICANT IS ALSO	THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:	ODRESS		CELL PHONE NO.				
NAME		TELEPHONE NO.					
ORGANIZATION/COMPANY			FAX NO.				
ADDRESS		CITY	STATE	ZIP CODE			
III. ZONING INFORMATION							
A. ZONING DISTRICT							
\square R-A \square R-1 \square R-2 \square R-3	☐ R-4	☐ RM-1 ☐ RM-2	□MH				
□ I-1 □ I-2 □ RC □ TC	☐ TC-1	OTHER					
B. VARIANCE REQUESTED							
INDICATE ORDINANCE SECTION (S) AND VARIANCE	REQUESTED:						
1. SectionVariance	requested .						
2. SectionVariance	requested .						
3. SectionVariance	requested .						
4. Section Variance requested							
IV. FEES AND DRAWNINGS							
A. FEES							
☐ 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 ☐	☐ House Moves \$300 ☐ Special Meetings (At discretion of Board) \$600						
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF							
Dimensioned Drawings and Plans							
Site/Plot Plan Fvicting or proposed buildings or addition of	n the proper		ng & proposed signs, if a	applicable			
	 Existing or proposed buildings or addition on the property Number & location of all on-site parking, if applicable Floor plans & elevations Any other information relevant to the Variance application 						
• Number & location of all off-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 ADDITO ANT O DEODEDTY CION ATLIDEC					
VI. APPLICANT & PROPERTY SIGNATURES A. APPLICANT					
a. All LIOANI					
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 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					

NOVI cityofnovi.org

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 Ap	☐ 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 Ap	plicable	☐ 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 Ap	plicable	☐ Applicable	If applicable, describe below:			

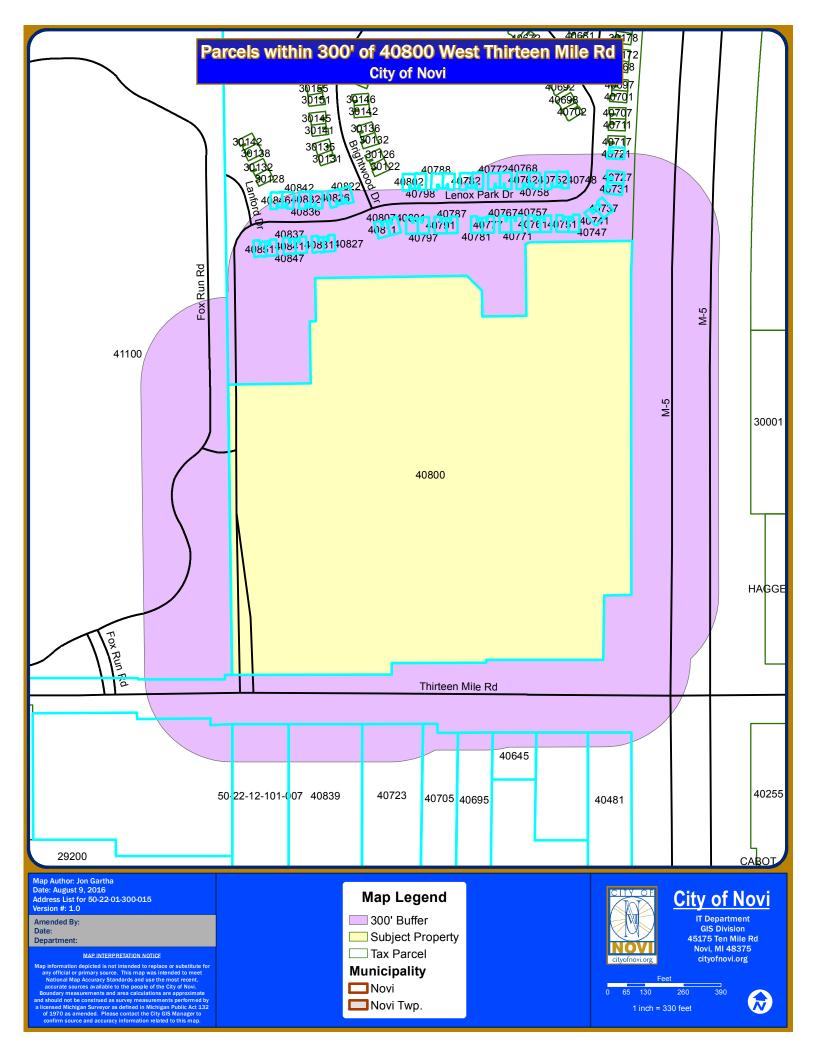
d.	Scale of Building or Lot Frontage . A sign that exceeds permitted dimensions for area and/or height could be considered appropriate in scale due to the length of the building frontage (wall sign only) or length of the lot frontage (ground sign only).						
	□ Not Applicable	☐ Applicable	If applicable, 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:				

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.



TO: CITY OF NOVI ZONING BOARD OF APPEALS 45175 TEN MILE ROAD NOVI. MI 48375

Please note my

Please note my comments to 40800 WEST THIRTEEN MILE ROAD (PZ16-0038)

(Approval) (Objection) to the requested variance. Comments: I BELIEVE IT CHEAPENS THE NOVI AREA. LARGE BILL BOARDS HAVE AN IMMEDIATE IMPACT TO MANY PEOPLE. IT ADDS CLUTTER TO THE VISUAL GREEN SPACE

(PLEASE PRINT CLEARLY)

Name: Louis MASCOLO

Address: 40792 LENOX PARK DR.

Date: AUGUST 29, 2016

Zoning Board of Appeals meetings are broadcast live on Bright House channel 13-1 and AT&T Uverse channel 99. They are also streamed live on the City's website at cityofnovi.org.

TO: CITY OF NOVI

ZONING BOARD OF APPEALS

45175 TEN MILE ROAD

NOVI, MI 48375

Please note my comments to 40800 WEST THIRTEEN MILE ROAD (PZ16-0038)

Please note my (Approval) (Objection) to the requested variance.
Comments:
This request is asking for a variance of 2X
the current ordinance allowance. In our opinion
this would detract from the beauty of the area
and could result in lowering residential property
values in the area. We thereby object to the
requested variance.
(PLEASE PRINT CLEARLY)
Name: DAVID & DEBORAH WICKOWSKI
Address: 40788 LENOX PARK DR. NOVI, MI
Date: 8-31-16

Zoning Board of Appeals meetings are broadcast live on Bright House channel 13-1 and AT&T Uverse channel 99. They are also streamed live on the City's website at cityofnovi.org.



August 1, 2016

City of Novi Planning Commission 45175 Ten Mile Rd. Novi, MI 48375

To Whom it May Concern:

On behalf of Fox Run Retirement Community, I would like to express our support for the planned new Monument Sign at Brightmoor Christian Church. Over the years, Fox Run has enjoyed a friendly and supportive relationship with our neighbors at Brightmoor Church. Our two communities have worked together to accomplish a strong and vibrant multi-generational relationship. The church has been very supportive and generous with its resources.

We understand that the church is applying for a variance for their new sign and we have no concerns. It is exciting that our neighboring church is expanding its mission and reach into the surrounding community.

Over the years, we have appreciated other communication Brightmoor has provided with respect to their growth and development. Fox Run looks forward to continuing our partnership with Brightmoor Christian Church on future plans.

Sincerely,

Michael J McCormick Executive Director





Condominium Association

August 2, 2016

City of Novi Planning Commission 45175 Ten Mile Road Novi, Michigan 48375

To Whom It May Concern,

On behalf of the Board of Directors of Lenox Park Homeowner's Association, I would like to take this opportunity to express to you our complete support for the proposal Brightmoor Christian Church has submitted to the City of Novi Planning Commission.

As neighbors, we have appreciated all past and present efforts that Brightmoor Christian Church has made to keep the Lenox Park Board of Directors and its residents aware of all the construction projects and environmental changes that have been planned. We do support their efforts in obtaining a variance from the City of Novi for the proposed monument sign to be placed in front of the Church on 13 Mile.

Lenox Park continues to experience a very positive relationship with Brightmoor Christian Church; working closely together in the spirit of cooperation and mutual benefit. We look forward to this continuing into the future.

Respectfully submitted,

Gayle C. Hinman, President

Lenox Park Homeowner'

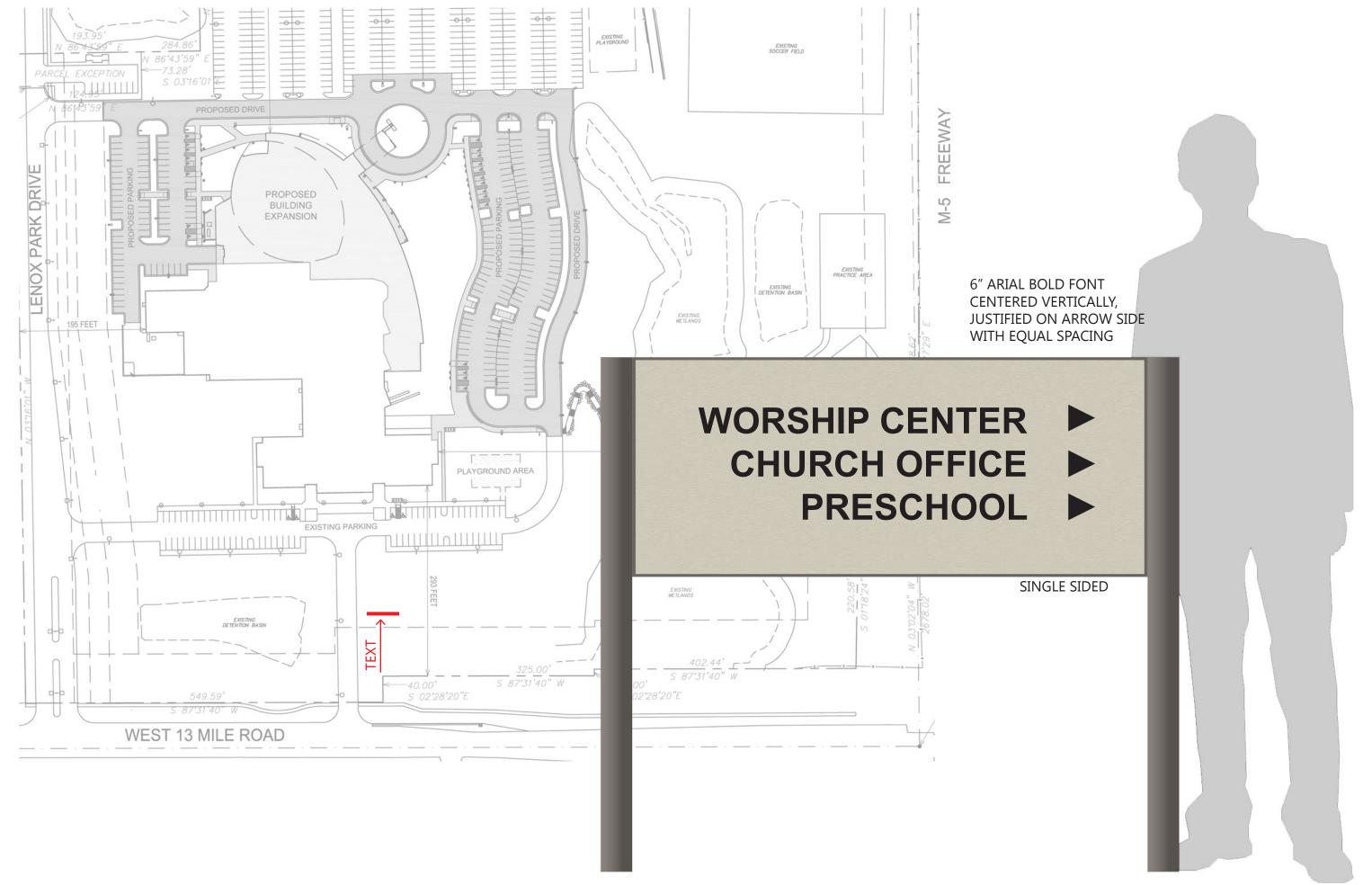
800.808.4882

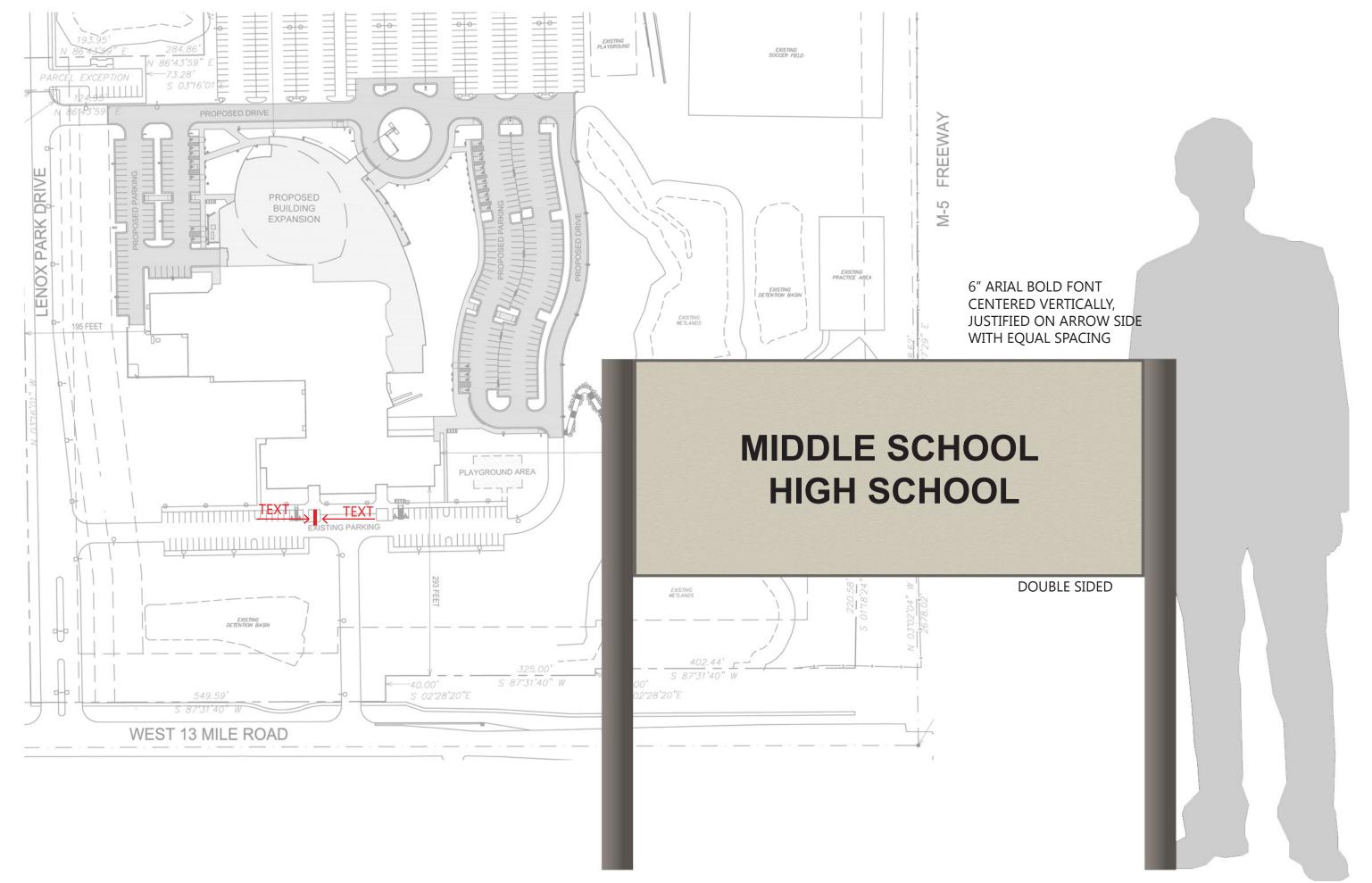
BRIGHTMOOR CHRISTIAN CHURCH

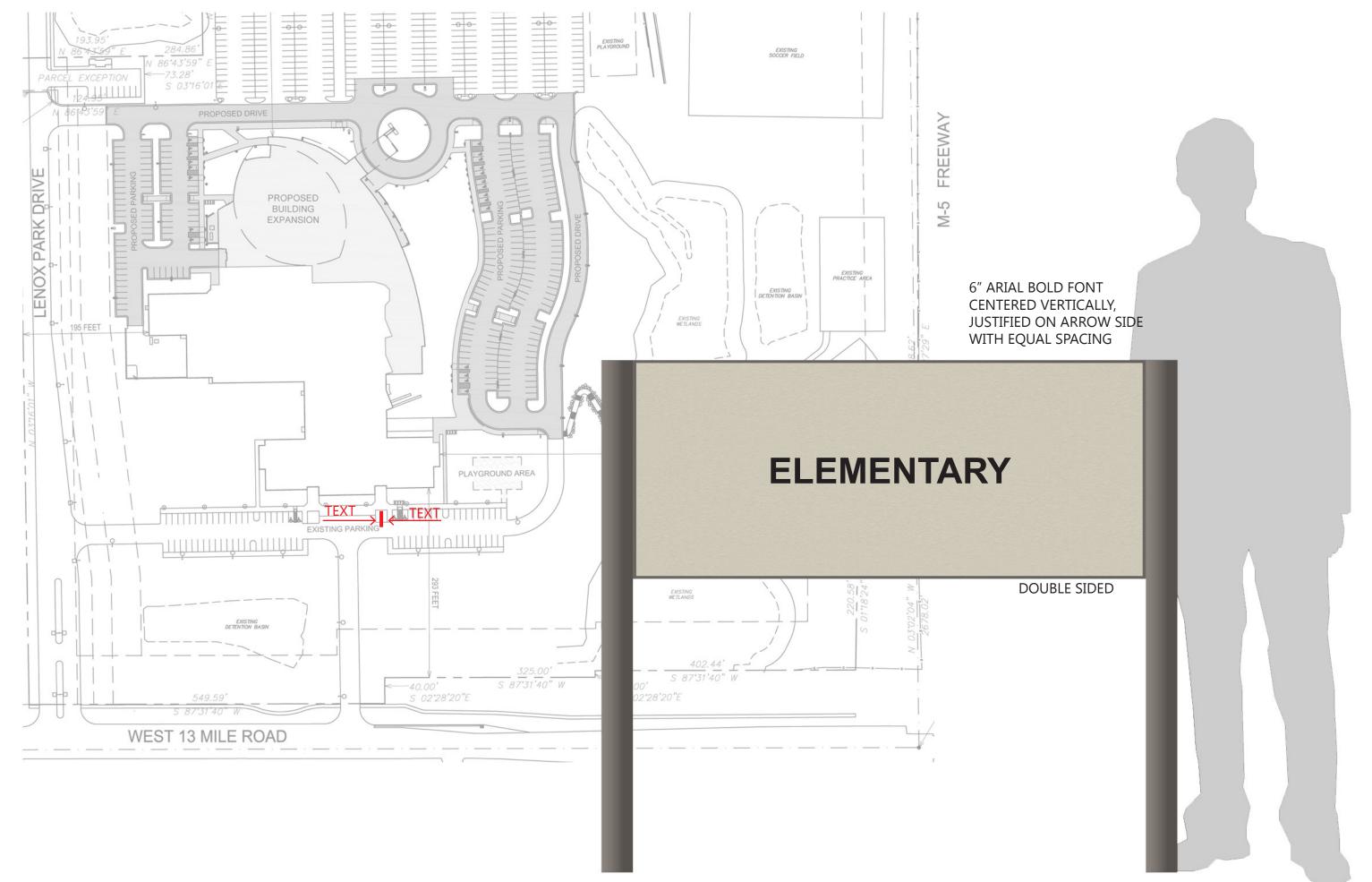
Site Signage Package, Owner Review

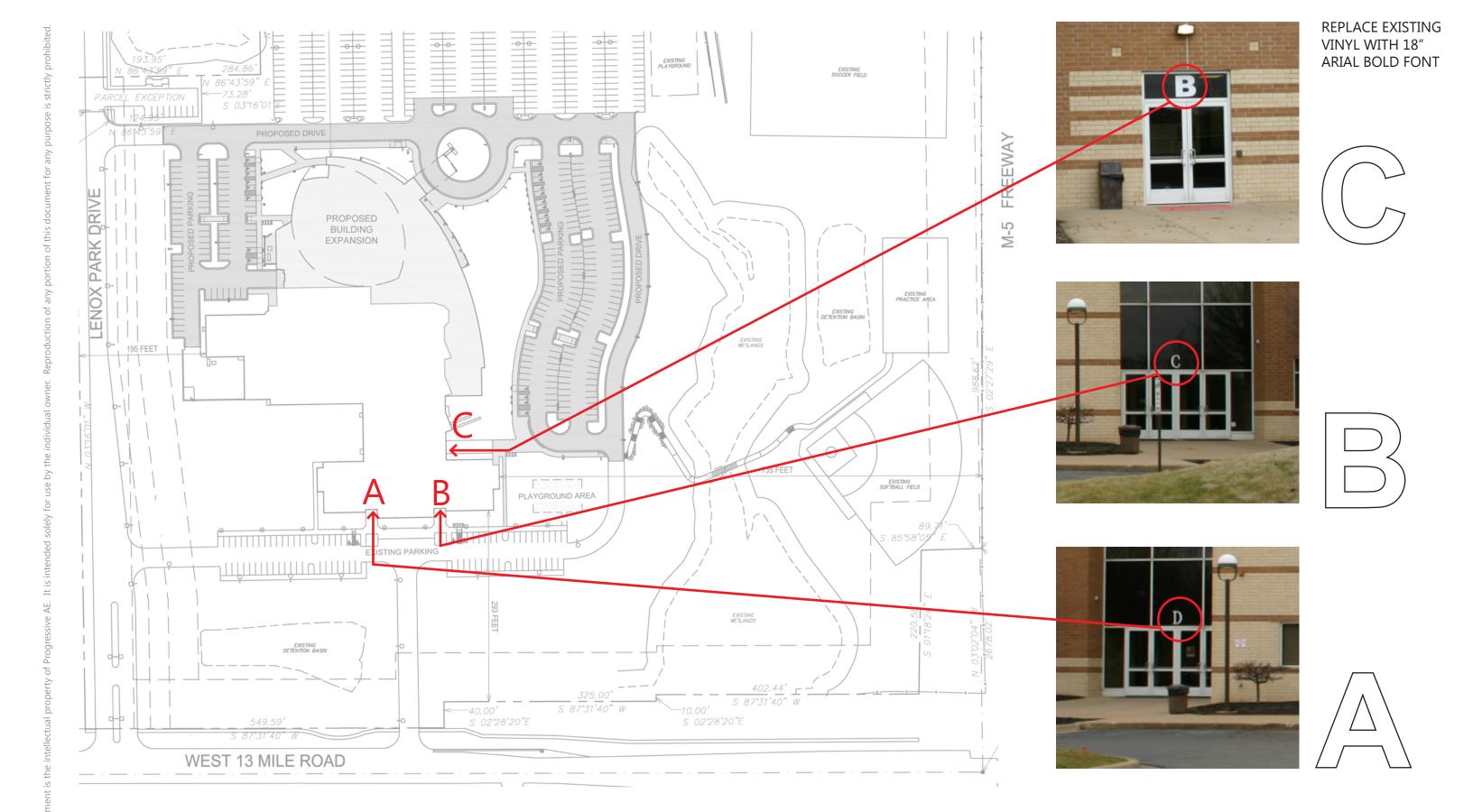
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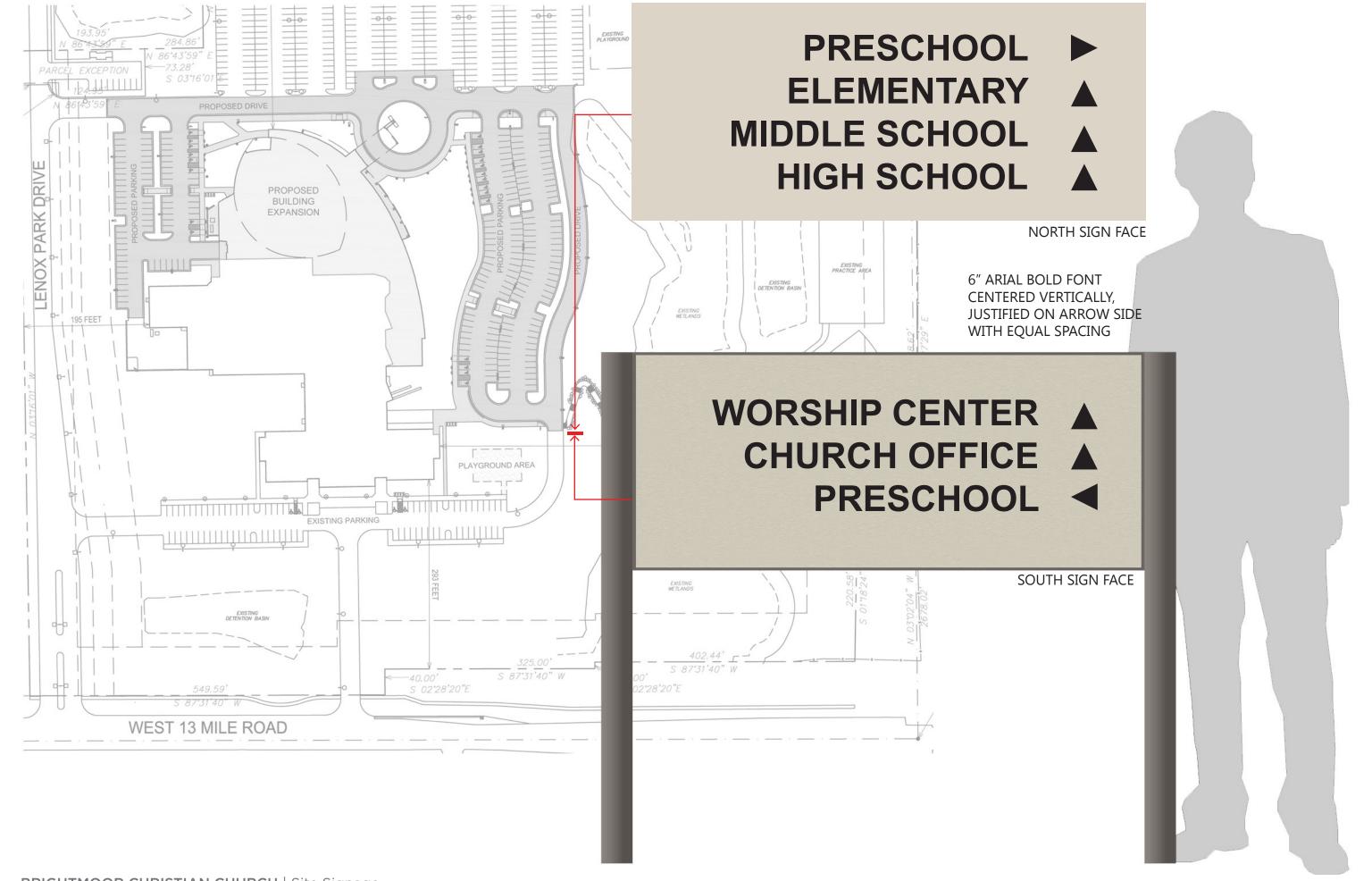






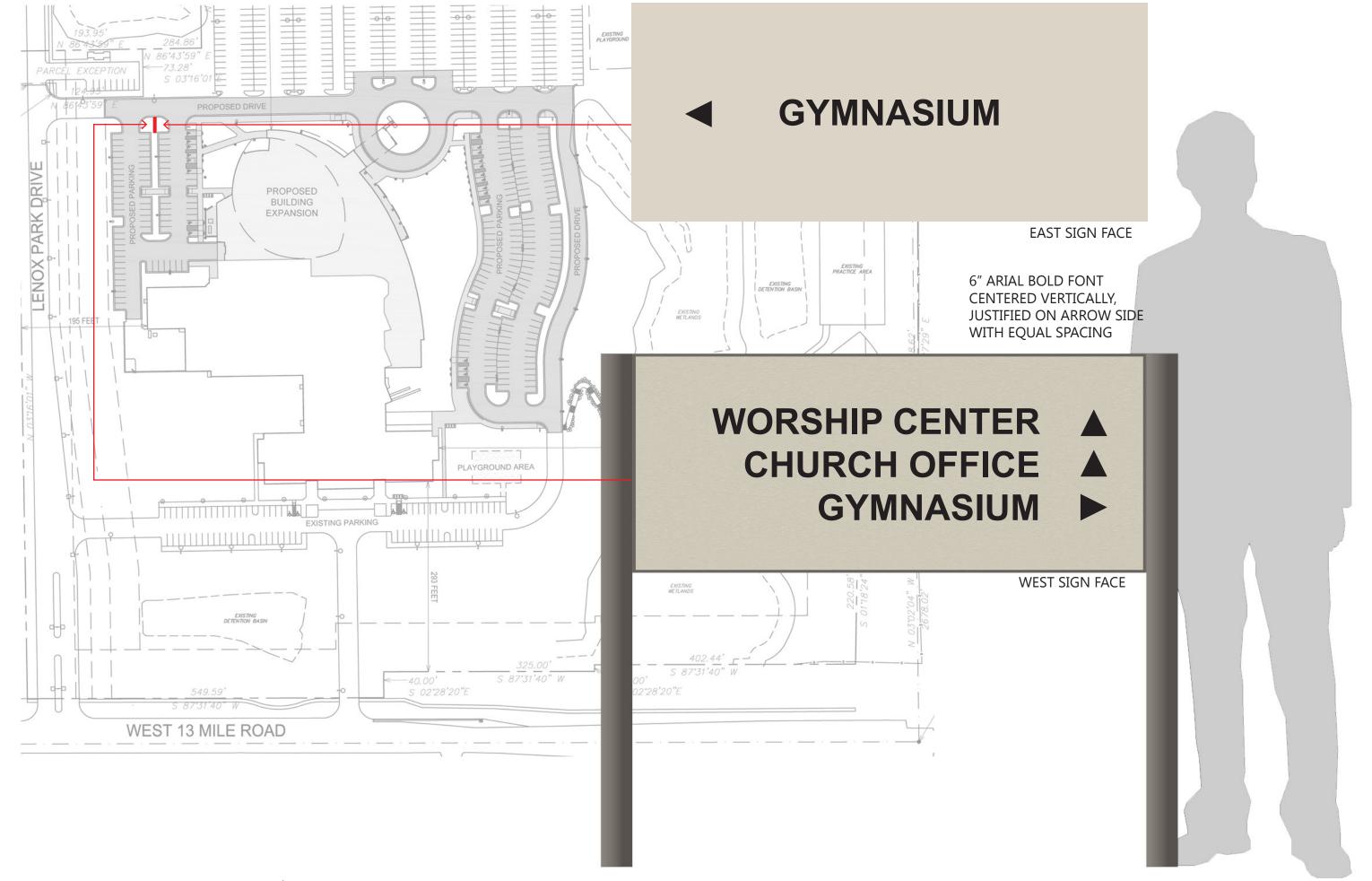




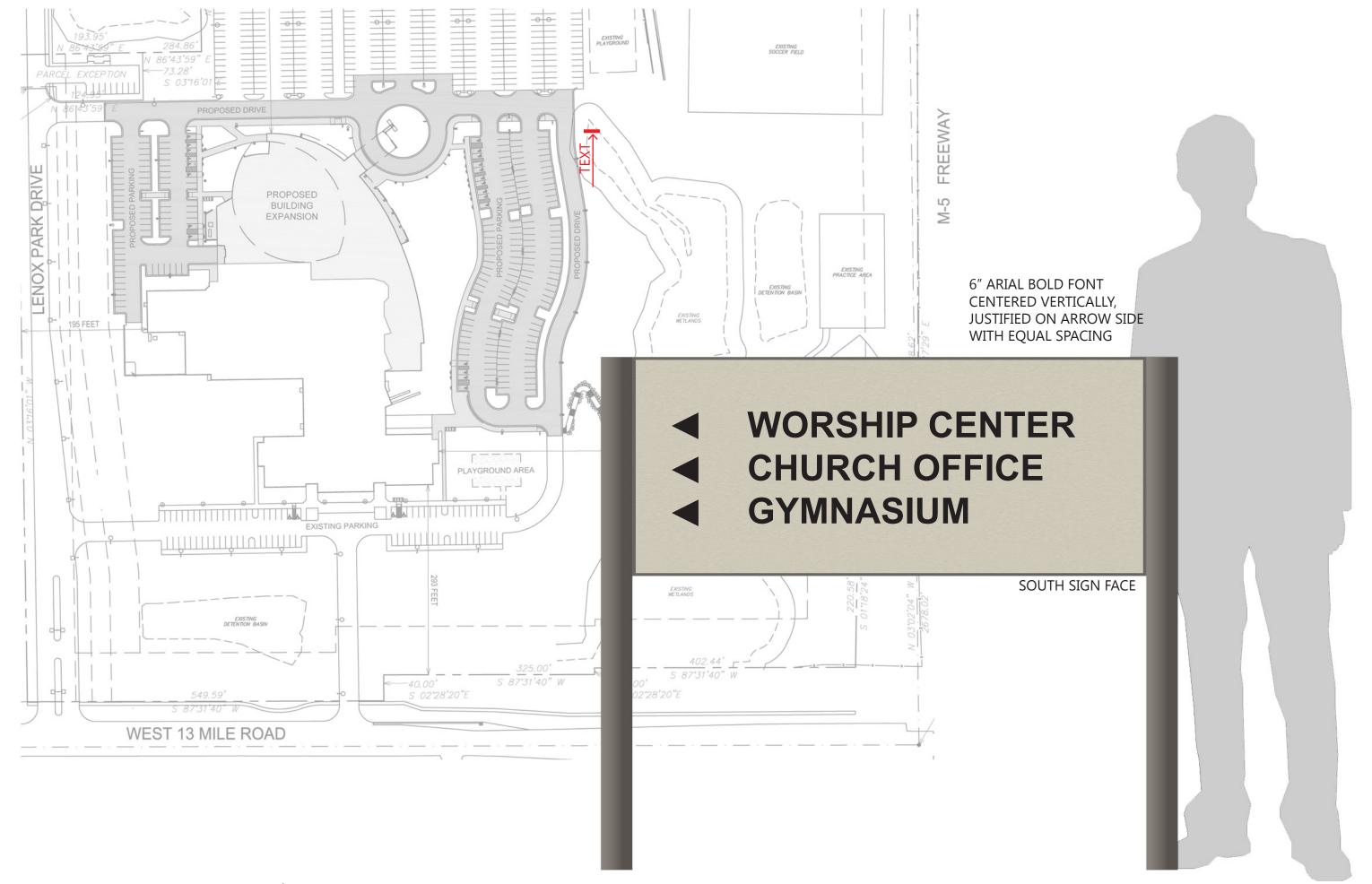


BRIGHTMOOR CHRISTIAN CHURCH | Site Signage

6

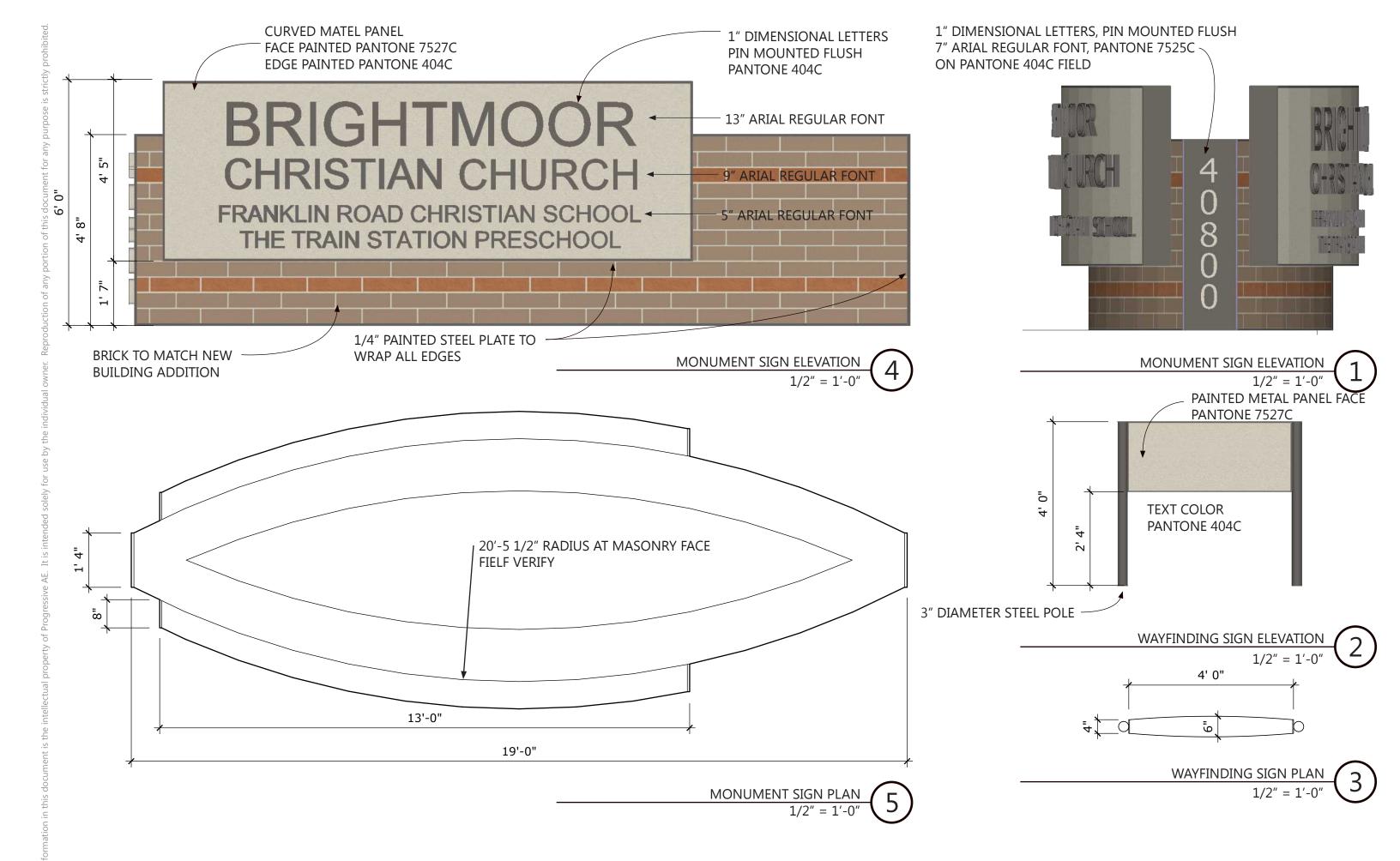


BRIGHTMOOR CHRISTIAN CHURCH | Site Signage









LEGAL DESCRIPTION:

COMMENCING AT THE SOUTH 1/4 CORNER OF SAID SECTION 1 AND PROCEEDING ALONG NORTH AND SOUTH 1/4 LINE OF SAID SECTION 1, N 03°02'24" W 342.99 FEET TO THE POINT OF BEGINNING; THENCE S 85°58'05" W 89.71 FEET; THENCE S 01°18'24" E 220.58 FEET TO THE NORTH RIGHT-OF WAY LINE OF THIRTEEN MILE ROAD; THENCE THE FOLLOWING (5) COURSES ALONG SAID NORTH RIGHT-OF WAY LINE; S 87°31'40 W 402.44 FEET; THENCE S 02°28'20 E 10.00 FEET; THENCE S 87°31'40" W 325.00 FEET; THENCE S 02°28'20" E 40.00 FEET; THENCE S 87°31'40" W 549.59 FEET; THENCE N 03°16'01" W 998.31 FEET; THENCE N 86°43'59" E 284.86 FEET; THENCE N 03°16'01" W 213.72 FEET; THENCE N 86°43'59" E 20.00 FEET; THENCE N 03°16'01" W 148.00 FEET; THENCE N 86°43'59" E 521.75 FEET; THENCE S 48°16'01" E 72.27 FEET; THENCE S 03°16'01" E 89.66 FEET; THENCE N 86°57'37" E 152.30 FEET; THENCE N 03°16' 01" W 247.41 FEET; THENCE N 63°44'51" E 16.70 FEET; THENCE N 86°53'26" E 334.29 FEET; THENCE N 86°53'26" E 18.07 FEET; THENCE ALONG A CURVE TO THE LEFT, RADIUS 11730.16 FEET, CHORD BEARING S 01°53'54" E 229.19 FEET, AN ARC DISTANCE OF 229.02 FEET; THENCE S 02°27'29" E 988.62 FEET; THENCE S 85°58'05" W 3.49 FEET TO THE POINT OF BEGINNING.

EXCEPT: COMMENCING AT THE SOUTHWEST CORNER OF SAID SECTION 1 AND PROCEEDING ALONG SOUTH LINE OF SAID SECTION 1 N 87°31'40" E 1375.66 FEET AND N 03°16'01" W 70.01 FEET TO A POINT ALONG THE NORTH RIGHT-OF-WAY OF WEST 13 MILE ROAD (VARIABLE WIDTH) AND N 03°16'01" W 945.50 FEET TO THE POINT OF BEGINNING: THENCE N 03°16'01" W 52.81 FEET; THENCE N 86°43'59" E 193.95 FEET; THENCE S 03°16'01" E 73.28 FEET; THENCE S 86°43'59" W 124.95 FEET; THENCE 33.66 FEET ALONG THE ARC OF A CURVE TO THE RIGHT, SAID CURVE HAVING A RADIUS OF 23.10 FEET, CENTRAL ANGLE 83°28'43" AND A CHORD THAT BEARS N 51°31'40" W 30.76 FEET; THENCE S 86°43'59" W 46.05 FEET TO SAID POINT OF BEGINNING.

THE CITY OF NOVI BENCH MARKS:

BENCHMARK #131 - ELEVATION 954.7866

(N. 369730.1253, E. 13369922.5)

"X" ON NORTH RIM OF SANITARY MANHOLE LOCATED WEST OF INTERSECTION LENOX PARK AND 13 MILE ROAD, 2 FEET WEST BACK OF CURB AND 45 FEET NORTH OF CENTERLINE ON 13 MILE ROAD.

BENCHMARK #1212 - ELEVATION 927.3046

(N. 369678.1276, E. 13371083.52)

"X" ON NORTH RIM OF GATE WELL LOCATED 310 FEET WEST INTERSECTION OF M-5 AND 13 MILE ROAD, 45 FEET WEST OF THE EAST END OF GUARD RAIL, 55 FEET SOUTH OF CENTERLINE OF 13 MILE ROAD AND IN ASPHALT WALK.

CONTROL POINTS:

STATE PLANE COORDINATES DETERMINED BY RTK OBSERVATION (MDOT CORS SYSTEM)

CP #2 - N. 370963.829, E. 13370345.271

CP #4002 - N. 370326.565, E.13370716.188

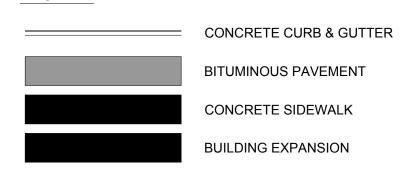
STATE PLANE COORDINATES DETERMINED BY NGS OPUS SOLUTION

<u>CP #4</u> - N. 370743.031, E. 13370350.177

PARKING COUNT:

EXISTING PARKING PROVIDED	REGULAR 898	ACCESSIBL 20	<u>TOTAL</u> 918
PARKING SPACES LOST IN EXPANSION AREA	- 175	- 16	- 191
NEW SPACES PROVIDED	210	22	232
TOTAL AFTER EXPANSION	933	26	959
2,100 SEATS @ ONE SPACE PER SCHOOL PORTION FROM ORIGIN		= 700 = 78	SPACES SPACES
TOTAL NUMBER OF SPACES REC	QUIRED	= 778	SPACES

LEGEND:

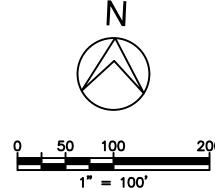


NOTES:

- 1. SEE ENLARGED SITE PLAN FOR DETAILED DIMENSIONS OF BUILDING AND PARKING SPACES.
- 2. TWO (2) COPIES OF AS-BUILT PLANS SHALL BE SUBMITTED TO THE CITY ENGINEER WITHIN THIRTY (30) DAYS OF THE COMPLETION OF THE UTILITY INSTALLATION AS PER SECTION 31-7 (A) CITY OF NOVI ORDINANCE.

PROJECT IS CURRENTLY RA - RESIDENTIAL ACREAGE

ALL WORK SHALL CONFORM TO CITY OF NOVI STANDARDS AND SPECIFICATIONS.



THE ACCURACY AND COMPLETENESS PRIOR TO CONSTRUCTION



72 HOURS (3 WORKING DAYS) **BEFORE YOU DIG** 1-800-482-7171 or **811** CALL811.COM (TOLL FREE)

ALL EXISTING UTILITIES SHOWN ON THIS TOPOGRAPHIC SURVEY HAVE BEEN TAKEN FROM VISUAL OBSERVATION AND RECORD MAPPING WHERE AVAILABLE. NO GUARANTEE IS MADE, OR SHOULD BE ASSUMED, AS TO THE COMPLETENESS OR ACCURACY OF THE UTILITIES SHOWN ON THIS DRAWING. PARTIES UTILIZING THIS INFORMATION SHALL FIELD VERIFY

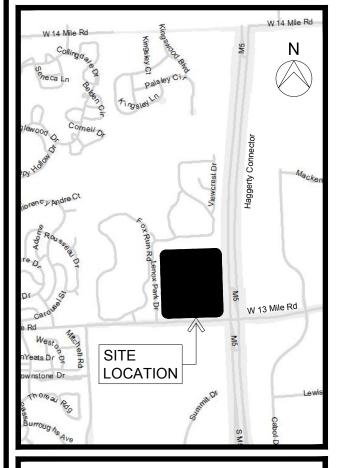


555 HULET DRIVE BLOOMFIELD HILLS, MICH.

> PHONE: (248) 454-6300 FAX (1st. Floor): (248) 454-6312 FAX (2nd. Floor): (248) 338-2592 WEB SITE: http://www.hrc-engr.com

48303 - 0824

07-28-2015	ADDENDUM NO. 🚹
07-24-2015	REVISED FINAL STAMPING SET
07-15-2015	FINAL STAMPING SET
07-01-2015	BID PACKAGE 1
06-04-2015	FINAL SITE PLAN APPROVAL
02-02-2015	PRELIMINARY SITE PLAN APPROVAL
DATE	ADDITIONS AND/OR REVISION
DESIGNED .	J.L.S.
DRAWN .	J.L.S.
CHECKED (G.J.T.
APPROVED [D.W.M.
FILE NAME = C-	01 OVERALL SITE PLAN.dwg



BRIGHTMOOR CHRISTIAN CHURCH BUILDING AND PARKING LOT EXPANSION

> 40800 WEST 13 MILE ROAD NOVI, MI 48377

SOUTH-WEST QUARTER OF SECTION 1 OAKLAND COUNTY

> **OVERALL** SITE PLAN

HRC JOB NO. 1" = 100' 20140319 December 2014

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