



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: August 8, 2023

REGARDING: 25806 Novi Road, Parcel # 50-22-23-151-004 (PZ23-0024)

BY: Alan Hall, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Motor City Hot Tubs

Variance Type

Sign Variance

Property Characteristics

Zoning District: This property is zoned Town Center (TC-1)

Location: East of Novi Road, South of Grand River

Parcel #: 50-22-23-151-004

Request

The applicant is requesting a variance from the Sign Design and Review Manual for the Novi TC-1 District to allow a non-conforming sign design style (Translucent internally illuminated signs are prohibited). The applicant is also requesting a variance from the City of Novi Sign Ordinance Section 28-5(e)(1)a to allow a 13.67 sq. ft. sign (The maximum allowed area is 6 sq. ft., a variance of 7.67 sq. ft.); Section 28-5(e)(1)b to allow the placement of the sign at 8 ft. from the grade (The minimum is 8.5 ft., a variance of .5 ft.) and also a height of 14.83 ft. from the grade (The maximum allowed height of 12 ft., a variance of 2.83 ft.) This property is zoned Town Center-1 (TC-1).

II. STAFF COMMENTS:

Note: The sign under review has been already installed without a permit.

This property resides within the TC-1 Zoning District which, in addition to the Sign Ordinance, also needs to observe the requirements of the "Sign Design and Review Manual" which does not allow internally illuminated signs. The applicant is seeking (4) different variances for the same sign.

III. RECOMMENDATION:

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

I move that we **grant** the variance in Case No. **PZ23-0024**, sought by **Motor City Hot Tubs**, for _____ because Petitioner has shown practical difficulty including

_____ requiring _____ on the basis of any of the following:

- a. That the request is based upon circumstances or features that are exceptional and unique to the property and do not result from conditions that exist generally in the city or that are self-created including

_____.

- b. That 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 because

_____.

- c. That the grant of relief would be offset by other improvements or actions, such as increased setbacks or increased landscaping, such that the net effect will result in an improvement of the property or the project

_____.

- d. That construction of a conforming sign would require the removal or significant alteration of natural features on the property because _____

_____.

- e. the grant of relief 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 because _____

_____.

The variance granted is subject to:

- 1. _____.
- 2. _____.
- 3. _____.
- 4. _____.

I move that we deny the variance in Case No. PZ23-0024, sought by **Motor City Hot Tubs**, for _____ because Petitioner has not shown practical difficulty because: _____

a. That the request is based upon circumstances or features that are not exceptional and/or unique to the property and/or that result from conditions that exist generally in the city or that are self-created including

_____.

b. That the failure to grant relief will not unreasonably prevent or limit the use of the property and/or will not result in substantially more than mere inconvenience or inability to attain a higher economic or financial return because

_____.

c. That the grant of relief would not be offset by other improvements or actions, such as increased setbacks or increased landscaping, such that the net effect will not result in an improvement of the property or the project

_____.

d. That construction of a conforming sign would not require the removal or significant alteration of natural features on the property because _____

_____.

e. the grant of relief will result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will not result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is inconsistent with the spirit and intent of this chapter because _____

_____.

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0423.

Alan Hall – Deputy Director Community Development - City of Novi

RECEIVED

JUN 28 2023



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

CITY OF NOVI ZONING BOARD OF APPEALS
COMMUNITY DEVELOPMENT APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)
PROJECT NAME / SUBDIVISION: MOTOR CITY HOTTUB
ADDRESS: 25806 NOVI RD
LOT/SUITE/SPACE #:
SIDWELL #: 50-22-23-151-004
CROSS ROADS OF PROPERTY: NOVI RD and MAIN ST
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? [X] NO
REQUEST IS FOR: [X] SIGNAGE
A. APPLICANT: JOHN NAGEL, BRIGHTON@IMAGE360.COM, 810 599 6734
B. PROPERTY OWNER: MICHAEL LUDWIG, INFO@MOTORCITYHOTTUBS.COM, 248 455 4077
III. ZONING INFORMATION
A. ZONING DISTRICT: [X] TC-1
B. VARIANCE REQUESTED:
1. Section 28-5(E)1A Variance requested SIZE OF PROJECTING WALL SIGN
2. Section 28-5E (1)B Variance requested HEIGHT OF SIGN
3. Section 28-5E (1)B Variance requested SIZE OF SIGN
4. Section TC-1 Variance requested DESIGN STANDARD
IV. FEES AND DRAWINGS
A. FEES: [X] (With Violation) \$400 Signs \$300
B. DRAWINGS: 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF



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 scheduled ZBA meeting. Failure to install a mock-up sign may result in your case not being heard by the Board, postponed to the next scheduled ZBA meeting, or cancelled. A mock-up sign is **NOT** to be an 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 established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of 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

Joh Nuyal
Applicant Signature

6/20/2023
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.

Michael Zamboni
Property Owner Signature

6/20/2023
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 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.

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:

DUE TO TRAFFIC SPEED & BUILDING LOCATION A STANDARD
WALL SIGN DO NOT PROVIDE ADEQUATE VISIBILITY.

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:

THE SIZE OF THE BUILDING CAN SUPPORT A 13.66 SQ' SIGN.

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.

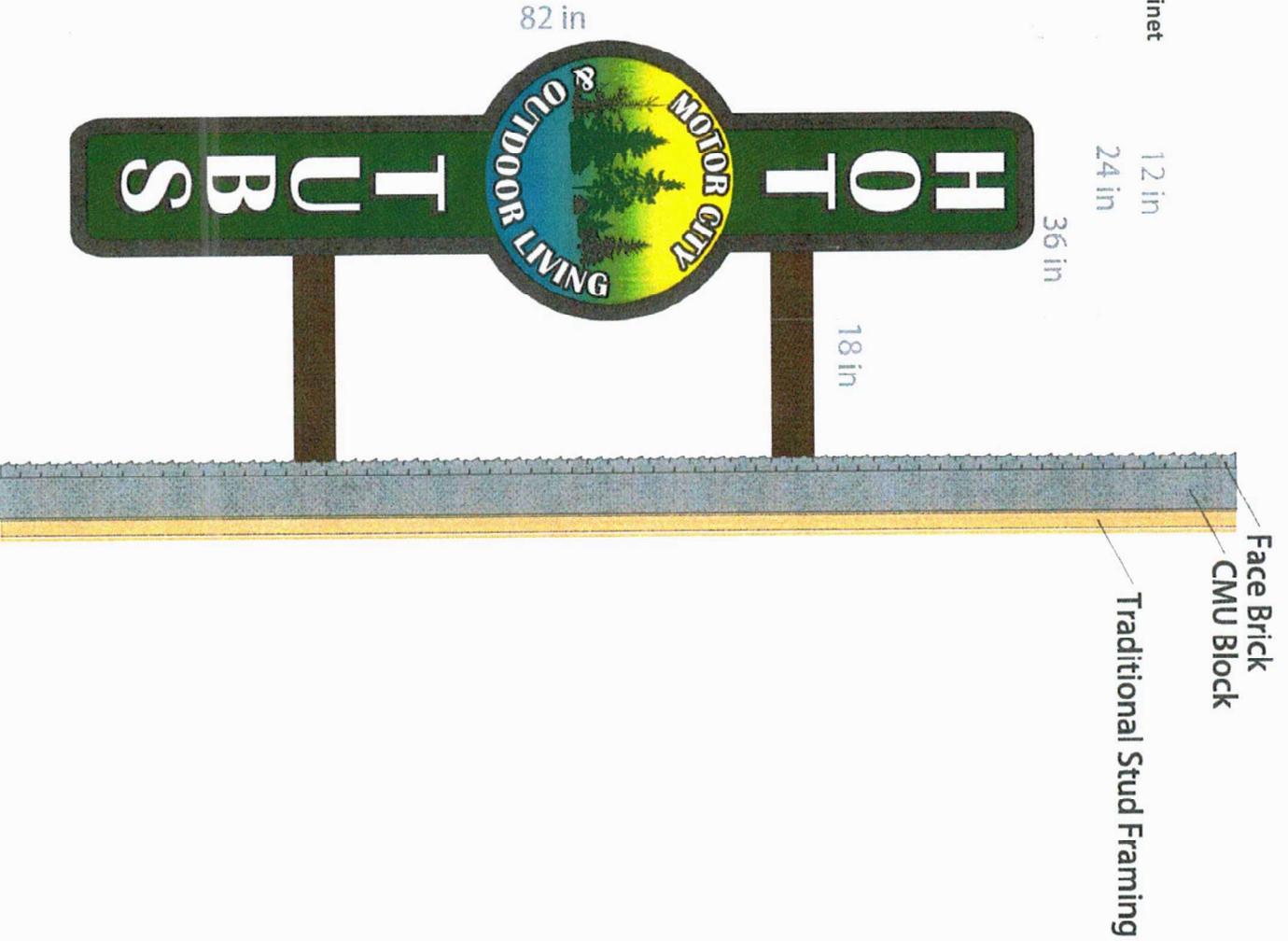
THE SIGN IS ONLY 13.66 SQ FEET- IT IS VERY SIMILAR IN DESIGN TO OTHERS IN THE TC-1 DISTRICT. 5TH AVE Ballroom, BDS, THE OLD MI BEER & MULTIPLE OTHER SIGNS THAT ARE INTERNALLY ILLUMINATED.

Illuminated Contour Cabinet
Blade Sign two Sided

12 in
24 in

36 in

18 in



Face Brick
CMU Block

Traditional Stud Framing



APPROVAL PROCESS:

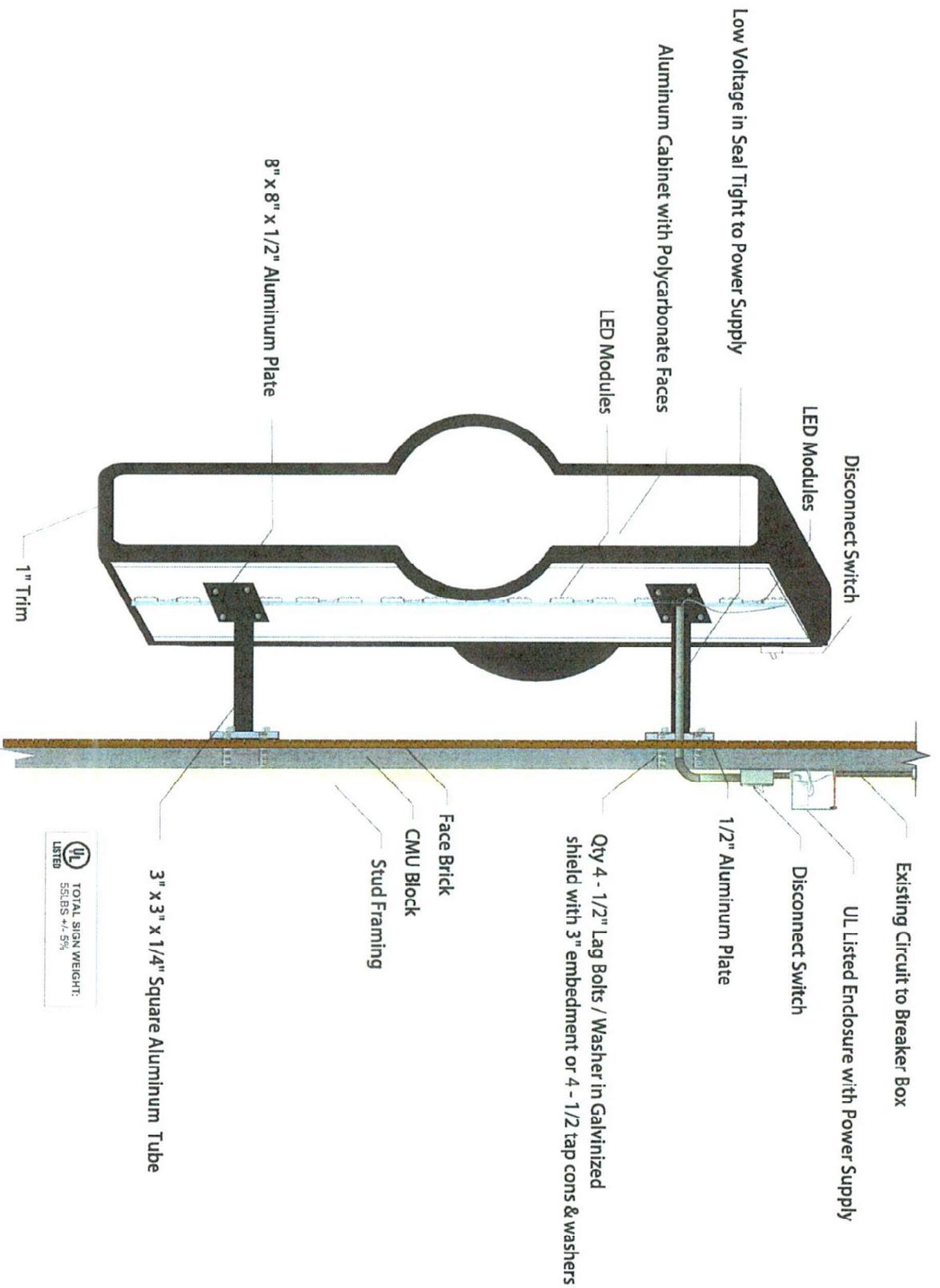
Please Respond with Approval or Not Approved to Continue
Give us a Call with 50% Deposit
Once both are received, your order will be released to PRODUCTION

APPROVED

If everything looks good and you have reviewed all details carefully

ALL RIGHTS RESERVED

JOBS BY CUSTOMER Designs by Dempster Motor City Hot Tubs
It is the client's responsibility to ensure that the proof is correct in all areas. Please be sure to double-check spelling, grammar, layout, color, sizes, quantities, and design before APPROVING the proof. We are happy to fix any errors before APPROVAL or answer any questions. The final product will be produced as shown on this proof with the exception of some logos/art may appear blurry because the proof is low resolution. We can email a screen shot of any areas you are concerned about at 100% size to show how it will print. If a proof containing errors is approved by the client, it is the client's responsibility for payment of all original costs of printing, including corrections and reprints



dempesterdesigns.com
248.368.9999

APPROVAL PROCESS:

Please Respond with Approval or Not Approved to Continue

Give us a Call with 50% Deposit

Once both are received, your order will be released to PRODUCTION

APPROVED

If everything looks good and you have reviewed all details carefully

MOTORCITY HOTTUBS.fs
T:\OBS BY CUSTOMER\Designs by Dempester\Motor City Hot Tubs

It is the client's responsibility to ensure that the proof is correct in all areas. Please be sure to double-check spelling, grammar, layout, color, sizes, quantities and design before APPROVING the proof. We are happy to fix any errors before APPROVAL or answer any questions. The final product will be produced as shown on this proof with the exception of some logos/art may appear blurry because the proof is low resolution. We can email a screen shot of any areas you are concerned about at 100% size to show how it will print. If a proof containing errors is approved by the client, it is the client's responsibility for payment of all original costs of printing, including corrections and reprints

ALL RIGHTS RESERVED



NEW LANDSCAPE

SIDE WALK TO BLD 30"



9806

(48) 455-4077

HOT TUBS
SANDY CITY
OLD FLOOR LITING

HOT TUBS

821

101



9806

HOT TUBS
A MODERN CITY
OF 1980S
LIVING, TX
(48) 455-4077

HOT TUBS
A MODERN CITY
OF 1980S
LIVING, TX



BOB'S

BOB'S

BOB'S
Mongolian Grill

72' +/-

80''

2106

P





