

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 15, 2015

REGARDING: TURTLE CREEK SUBDIVISION (CASE NO. PZ15-0031)

BY: Thomas M. Walsh, Building Official

. GENERAL INFORMATION:

Applicant

Sherrie Konkus on the behalf of Turtle Creek Subdivision

Variance Type

Sign Variance

Property Characteristics

Zoning District: R-3, One Family Residential

Site Location: Signs locations, 9 Mile & Heatherbrae Way S. & Meadowbrook Rd &

Singh Blvd, south of 9 Mile Rd and east of Meadowbrook Rd

Parcel #: 50-99-99-008-104

Request

The applicant is requesting a variances from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5 (2)(d) a variance of 4.0 feet in the required right-of-way setback (10.0 feet required, 6.0 feet proposed) and a variance from Section 28-1 (10) to allow the proposed entrance ground signs to be supported with posts (ground surface signs required).



Turtle Creek Subdivision Case # PZ15-0031

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	R-3, One Family Residential	Turtle Creek Subdivision	Single Residential	
North	R-3, One Family Residential	Turtle Creek Subdivision	Single Residential	
South	R-3, One Family Residential	Turtle Creek Subdivision	Single Residential	
East	R-3, One Family Residential	Turtle Creek Subdivision	Single Residential	
West	R-3, One Family Residential	Turtle Creek Subdivision	Single Residential	

III. STAFF COMMENTS:

Discussion

The applicant is proposing to install new entranceway signs for an existing single family community. The Sign Ordinance requires that Entranceway Signs be placed at least 10 feet from any street right of way. In this situation, the proposed entrance ground signs to be supported with posts (ground surface signs required) and 6.0 feet from the right-of-way as follows:

- 9 Mile & Heatherbrae Way S., proposed at 6 ft. from Nine Mile Rd. R.O.W.
- Meadowbrook Rd & Singh Blvd, proposed at 6 ft. from Meadowbrook Rd. R.O.W.

This requires a variance of 4.0 feet the right-of-way and a variance to allow the proposed entrance ground signs to be supported with posts.

IV D	EC	AENIE	ATL	ON.
IV. R	EU	WEINL	JAII	ON:

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.	PZ15-003	31 , so	ought	by fo
								b	ecause	Petition	ner has	shown	prac	tica
	dit	fficulty re	equiring]							•			
							ner will be ui e		-	-		nited w	rith res	pec
		(b) The	e prope	erty is u	ınique b	ecaus	se				·	_		
		(c) Pe	titioner	did no	ot create	e the c	condition be	caus	se					

Zoning Board Of AppealsTurtle Creek Subdivision

Turtle Creek Subdivision Case # PZ15-0031

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Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0417

Thomas M. Walsh Building Official City of Novi

RECEIVED



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

ZONING BOARD OF APPEALS APPLICATION

JUL 3 1 2015

CITY OF NOVI COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Add	Application Fee: _	\$ 300.00				
TURTLE CREEK SU		Meeting Date:	9-15-15			
	ADDRESS NINE MILE/HEATHER BRAE WAY 5. LOT/SIUTE/SPACE # MEADOWBROOK/SINGH ISLANDS					
50-22-94 99 008-10	50-22-94 99 008-104 Department (248) 347-0485					
CROSS ROADS OF PROPERTY NINE MILE & HEATHER		MEADOWBRO	OK VSING	4		
IS THE PROPERTY WITHIN A HOMEOWNER'S ASS	SOCIATION JURISDICTION?	REQUEST IS FOR:	-			
YES NO		☐ RESIDENTIAL ☐ COM	MERCIAL VACANT	PROPERTY SIGNAGE		
DOES YOUR APPEAL RESULT FROM A NOT	TICE OF VIOLATION OR C	ITATION ISSUED?	S NO			
II. APPLICANT INFORMATION						
A. APPLICANT	EMAIL ADDRESS SKONKUS@ 6	MAIL . COM	(248) 421	1-5514		
NAME SHERRIE KON	KUS		TELEPHONE NO. (248) 349	7-7348		
ORGANIZATION/COMPANY TURTLE CREEK HOMEO	WNERS ASSN	-COMMITTEE		1192		
ADDRESS 22278 CASCADE DA	2116	NOV/	STATE	ZIP CODE 48375		
	ERE IF APPLICANT IS ALSO	THE PROPERTY OWNER				
Identify the person or organization that owns the subject property:	BELUBZ@	GMAIL, COM	CELL PHONE NO.			
NAME BOB GLUBZINSKI			TELEPHONE NO. (248) 349-5386			
ORGANIZATION/COMPANY TURTLE CREEK HO			FAX NO.			
ADDRESS 2/950 HEATHEREN	1	CITY	STATE	ZIP CODE 48375		
III. ZONING INFORMATION						
A. ZONING DISTRICT						
□ R-A □ R-1 □ R-2	⊠ 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						
1. Section 28-1 (10)	Variance requested	SIGNS ON A	IEW POST	3		
2. Section 28-5(2)	Variance requested	B' FROM RIGI	HT OF WAY	(NEW LOCATION		
3. Section	Variance requested	4 VARIANCE P	ROM ORDIN	ANCE		
4. Section	Variance requested					
IV. FEES AND DRAWNINGS						
A. FEES						
☐ Single Family Residential (Existing	g) \$200 🗌 (With Violat	tion) \$250 🗆 Single Fam	ily Residential (New)	\$250		
☐ Multiple/Commercial/Industrial	\$300	tion) \$400 🗷 Signs \$300	(With Violation)	\$400		
☐ House Moves \$300		etings (At discretion of Bo	oard) \$600			
	ITAL COPY SUBMITTED	AS A PDF				
 Dimensioned Drawings and Plans Site/Plot Plan Existing or proposed buildings or of 	addition on the proper	 Existing & proposed Location of existing Floor plans & elever 	g & proposed signs, it ations	f applicable		
 Number & location of all on-site parking, if applicable Any other information relevant to the Variance application 						



ZONING BOARD OF APPEALS APPLICATION

V. VARIANCE	F1483
A. VARIANCE (S) REQUESTED	
☐ DIMENSIONAL ☐ USE ☐ USE	
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 tenmeeting. Failure to install a mock-up sign may result in your case not being heard by the schedule ZBA meeting, or cancelled. A mock-up sign is NOT to be actual sign. Upon appremoved within five-(5) days of the meeting. If the case is denied, the applicant is responsemental of the mock-up or actual sign (if erected under violation) within five-(5) days of	Board, postponed to the next proval, the mock-up sign must be ensible for all costs involved in the
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 lon building permit for such erection or alteration is obtained within such period and such er 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 eighty-(180) days unless such use is establish within such a period; provided, however, who dependent upon the erection or alteration or a building such order shall continue in force for such erection or alteration is obtained within one-(1) year and such erection or alteration in accordance with the terms of such permit.	nere such use permitted is se and effect if a building 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	GNAGE
☐ ACCESSORY BUILDING ☐ USE ☐ OTHER	
VI. APPLICANT & PROPERTY SIGNATURES	
A. APPLICANT	
Therrie Konpus	7/29/2015
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 application, and is/are aware of the contents of this application and related enclosures	property described in this
	7/70/705
falen a. July,	Date Date
Property Owner Signature	
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	owing and conditions:



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:			
	right-of-way ordinance, the fixed with a complete overhaul of isla signs closer to the subdivision of growth plants and provide extra	d shape of the two entrance is nd landscaping – the first sind entrances as recommended b space for new trees to grow,	rent locations and continue to meet the City's 10' from slands provide limited space for new trees and plants associated be initial installation - anticipated in spring 2016. Moving the your designer will reduce the area that must be set aside for low improving their chances of long-term survival. The new sign best use of available space, and improve sign visibility.			
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:			
	landscaping has matured, the al their current location has been re	oility for a driver unfamiliar wit educed. Moving the signs for	lile/Meadowbrook Roads. As the nearby property and berm h the subdivision's location to readily spot it using the signs in ward to 6' from the right-of-way from their current placement of serve their practical purpose and reduce unnecessary traffic			

u .	area and/or height	could be considered	d appropriate in scale due to the length of ength of the lot frontage (ground sign
	✓ Not Applicable	Applicable	If applicable, describe below:
•	Not Self-Created D	escribe the immedia	te practical difficulty causing the need for
€.			oplicant or any person having an interest in
	the sign, sign structu		
	✓ Not Applicable	Applicable	If applicable, describe below:

d. Scale of Ruilding or Lot Frontage. A sign that exceeds permitted dimensions for

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.

Our goal is to position the subdivision entrance signs so they are more visible from 9 Mile and Meadowbrook Roads and therefore more easily spotted by drivers unfamiliar with our location. Granting a variance of 4' from the 10' from right-of-way ordinance will allow the signs to be placed on the islands in a location that will enhance the beauty of a planned 2016 landscaping overhaul and improve chances of long-term survivability of new trees. Replacing the existing posts on our attractive signs will improve their structural integrity. The Turtle Creek Homeowners Association wishes to use our stewardship responsibility for these entrance islands to maintain and enhance their look and function and thereby improve the property values enjoyed by our residents and those living

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 Turtle Creek entrance signs will be structurally improved with new posts, and granting a 4' variance from the 10' right-of-way ordinance will allow the Homeowners Association to place the sign on each entrance island in a location that increases its visibility, fits beautifully into the new landscaping, and provides more room for new trees to thrive over the long term. The structural and placement improvements will have no adverse impact on surrounding area, and will result in a more functional and attractive welcome into our neighborhood.

Turtle Creek Subdivision PZ15-0031





City of Novi, Michigan Internet Mapping Portal

Map Produced Using the





CURRENT SIGN LOCATIONS



9 Mile & Heatherbrae Way S.







Meadowbrook Rd & Singh Blvd.







CUSTOMER TURTLE CREEK SUBDIVISION LOCATION HOYL MI ADDRESS 9 MILE & MEADOWBROOK

SALESPERSON JONATHAN TOWNSEND

FILENAME DRAWN BY DATE **REVISION#**

SIGN TYPE

QUANTITY 1

GRAPHICS DIGITAL PRINT

☐ VINYL

☐ PAINTED ARTWORK

PRODUCTION READY PRESENTATION ONLY

□ NETWORK

MOUNTING
FLUSH
RACE
FLAG

SINGLE DOUBLE

☐ LIGHTED ■ NON-LIGHTED TYPE: N/A

SQ. FTG. ALLOWANCE N/A SITE MEASUREMENTS

ADDITIONAL NOTES

NEW SIGN LOCATIONS



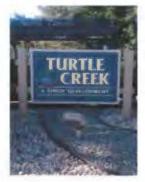
9 Mile & Heatherbrae Way S.



Approx. Proposed Location



Meadowbrook Rd & Singh Blvd.





Approx. Proposed Location



CUSTOMER TURTLE CREEK SUBDIVISION LOCATION NOVI, MI ADDRESS 9 MILE & MEADOWBROOK

SALESPERSON JONATHAN TOWNSEND

FILENAME DRAWN BY REVISION#

SIGN TYPE QUANTITY 1

GRAPHICS OIGITAL PRINT

■ VINYL ■ PAINTED

ARTWORK ☐ PRODUCTION READY

■ PRESENTATION ONLY

■ NETWORK

COLORS:

■ BLACK

SINGLE DOUBLE

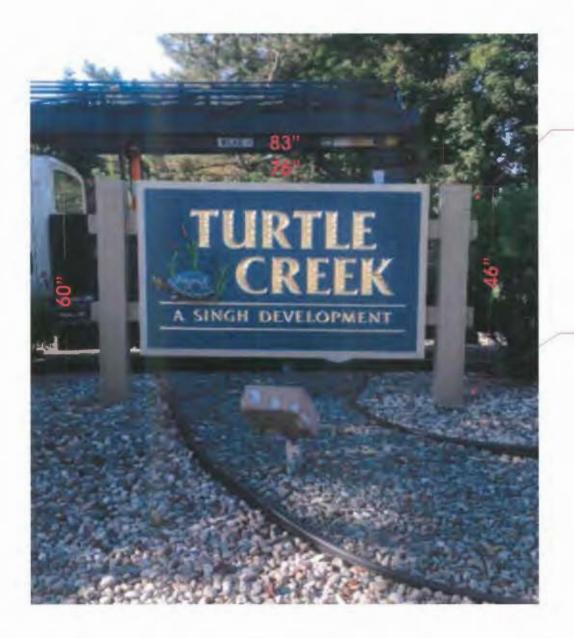
MOUNTI
DELINGING
RACEH
REGEWAY
SEAR MOUNTED
LIGHTOP

LIGHTED ■ NON-LIGHTED

TYPE: N/A

SQ. FTG. ALLOWANCE N/A SITE MEASUREMENTS

ADDITIONAL NOTES



REPLACE EXISTING POST WITH NEW WOOD OR PAINTED ALUMINUM POST.

> **RELOCATE BOTH SIGNS** CLOSER TO ROAD. **CUT OFF EXISTING POST** SET IN NEW FOOTINGS.



CUSTOMER TURTLE CREEK SUBDIVISION

ADDRESS 9 MILE & MEADOWBROOK SALESPERSON JONATHAN TOWNCEND

LOCATION NOVI, MI

FILENAME DRAWN BY DATE **REVISION#**

SIGN TYPE

QUANTITY 1

GRAPHICS ☐ DIGITAL PRINT

☐ VINYL

☐ PAINTED

ARTWORK

☐ PRODUCTION READY PRESENTATION ONLY

□ NETWORK

COLORS:

MOUNTING FLUSH RACE FLAG

FACE
SINGLE
DOUBLE

☐ LIGHTED ☐ NON-LIGHTED TYPE: N/A

SQ. FTG. ALLOWANCE N/A SITE MEASUREMENTS

ADDITIONAL NOTES

Emails of Support from Turtle Creek Residents

Jeffrey Stark, 22320 Heatherbrae Way S., Lot 138

From: Jeffrey Stark < <u>jeffreygstark@gmail.com</u>>
Date: July 30, 2015 at 9:35:37 PM EDT

To: Sabrina Mitchell <mitchellsabr1@icloud.com>

Subject: Re: Turtle Creek

I approve moving the sign closer to the road.

Jeffrey

Nancy Thompson, 22371 Heatherbrae Way S., Lot 2

From: James Thompson < jthompson003@twmi.rr.com>

Date: July 31, 2015 at 6:42:04 AM EDT

To: Sabrina Mitchell < mitchellsabr | @icloud.com >

Subject: Re: Turtle Creek

We are fine with the signs being moved closer to the road. My suggestion for the water issue is to install a sprinkler system for both entrances. Once you know what that would cost, do a one time fee that is divided among all the homes and collect when the annual invoices are sent in May. I know we have around 140 and if you collect a one time fee of \$100 that would be \$14,000. If that is more than you need, then the one time fee would be less.

Our water bill varies greatly depending if we have our sprinklers on or not. Our last water bill was 50% less from last year because we had not turned our sprinklers on yet because of the rain.

Nancy

On Jul 30, 2015, at 9:30 PM, Sabrina Mitchell <mitchellsabrl@icloud.com> wrote:

Hello Neighbors,

My name is Sabrina and I live on Meridian Lane. I am the head of the Landscaping Committee.

We are currently working with the City of Novi to improve our entrances. As part of this improvement, we are proposing that our signs be moved closer to the main roads. This would increase their visibility. It would also improve the look of our new landscaping design (more info on that to come).

We need to apply for variances with the City in order to move them. As part of this process the City wants written approval from from the homeowners close to the entrances.

If you are ok with us moving the signs closer to the main road, please just reply to this email saying you approve.

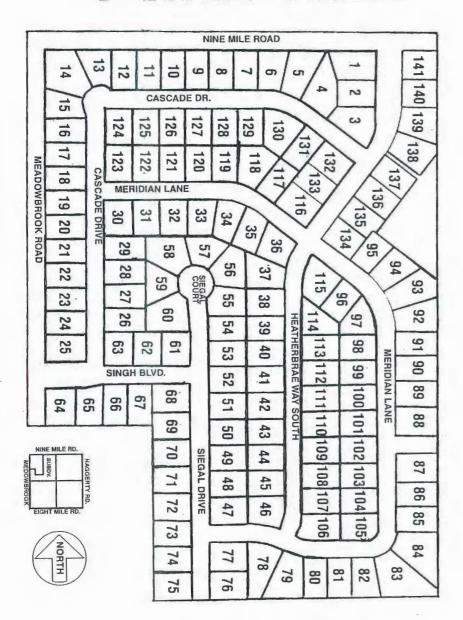
Also, we are still looking for volunteers to allow us to use your spigot to water the new landscaping set to be installed in 2016. You will be fully reimbursed for your water. Also we will handle the actual watering.

Thank you in advance for your time and input!

Sabrina

TURTLE CREEK

6



LOT NUMBER INDEX

Cascade Dr.

- 4 McDade
- 5 Lodge
- 6 Grabowski
- 7 Leonard
- 8 Le
- 9 Belsky
- 10 Rzepka
- 11 Gordon
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- 13 Zielkowski
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- 15 Hashamzadeh-Kashani
- 16 Tester
- 17 Lum
- 18 Baker
- 19 Henderson
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- 126 Resto
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- 131 Rhote-Vaney

Heatherbrae Way So.

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- 37 Hahn

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