



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: December 10, 2019

REGARDING: 40020 Twelve Mile Rd, Parcel # 50-22-12-400-063 (PZ19-0048)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Mark Zawaiden

Variance Type

Sign Variance

Property Characteristics

Zoning District: Office Service Technology
Location: West of Haggerty Road and North of Twelve Mile Road
Parcel #: 50-22-12-400-063

Request

The applicant is requesting variance from the City of Novi Code of Ordinances Section 28-(a); and 28-5(d)(7) for a second wall sign facing southwest measuring 336" x 36" (84 sq. ft.). The applicant was previously granted lesser variances during the April 2019 proceedings of case PZ19-0011. This property is zoned Office Service Technology (OST).

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. **PZ19-0048**, 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. **PZ19-0048**, 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



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ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)				Application Fee: _____	
PROJECT NAME / SUBDIVISION Mark Z Real Estate Experts				Meeting Date: _____	
ADDRESS 40020 W 12 Mile Rd		LOT/SUITE/SPACE #		ZBA Case #: PZ _____	
SIDWELL # 50-22-12 -400 -063		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 checked="" type="checkbox"/> NO		REQUEST IS FOR: <input type="checkbox"/> RESIDENTIAL <input checked="" 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 checked="" type="checkbox"/> NO					
II. APPLICANT INFORMATION					
A. APPLICANT		EMAIL ADDRESS markz@soldbymarkz.com		CELL PHONE NO. 248-937-1337	
NAME Mark Zawaiden				TELEPHONE NO. 248-937-1337	
ORGANIZATION/COMPANY Mark Z Real Estate Experts				FAX NO. 248-686-3386	
ADDRESS 40020 W 12 Mile Rd		CITY Novi		STATE MI	ZIP CODE 48377
B. PROPERTY OWNER <input checked="" 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 checked="" type="checkbox"/> OTHER <u>OSP</u>					
B. VARIANCE REQUESTED					
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:					
1. Section <u>28-5 (d)(7)</u>		Variance requested		<u>Approved 2nd Sign to Have 4' Space In Between</u>	
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 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

  10-31-19
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



Community Development Department

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Novi, MI 48375
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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. **Describe below:**

The sign could not be placed in the location required due to the topography of the land and placement of the existing structure. Please refer to site plan and photos.

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:**

Originally, the city wanted the sign placed on the West view, which is where the Z Guarantee portion of the sign is. We do not want to change the topography, simply place signage so that people can see the signage around it.

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:**

There is a lot of woodland in front of the building which makes the sign impossible to see from the road.

- 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:**

The sign is within the city ordinance for size.

- 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:**

Property is set behind woodland area which makes it difficult to see from where the sign was originally approved.

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.

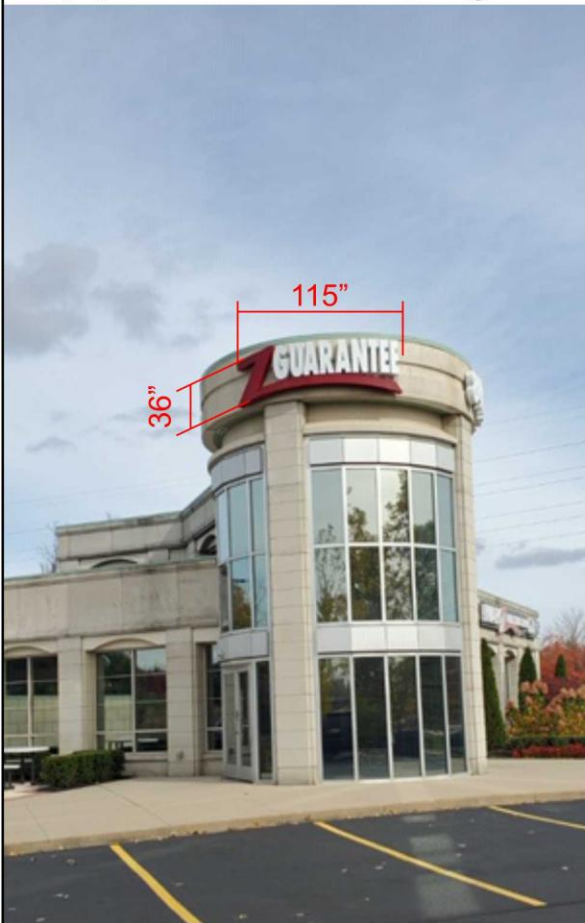
Without having signage in current position, there will be no visibility of business.

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.

Business is in a unique area right by a highway on-ramp and behind a woodland area. There are no residential areas and the placement would not interfere with the industrial or commercial buildings in the area.

Approved 2nd Sign with 4' Spacing



Mounting Detail

Installed Sign

Sign Description

Mark Z

Date: 10-30-19

Site Address: 40020 W 12 Mile Rd
Novi, MI

Contact Info:

Landlord Info:

Photo of Suite:

Meas. of Suite:

Site Plan:

.Eps Artwork:

Check Sign Ordinance:

Wall Color SW#:

Landlord Approval:

Permits Needed:

ACCEPTANCE OF ARTWORK The drawing above is an artistic representation ONLY. Elements may vary based on field measurements. This color proof is intended for verification of spelling, layout, color and composition. (PLEASE HELP AVOID UNNECESSARY COSTS BY CHECKING THIS PROOF CAREFULLY.) Signature constitutes authorization to proceed with specifications and conditions of this document as specified. All artwork and designs are property of Sign Emporium and may not be used without expressed written permission of Sign Emporium.

Approval: _____ Date: _____

SIGN EMPORIUM phone - 248.941.8215
fax - 866-881-8182
3773 Nutcracker
Suite 200
Oxford, MI 48370
email - mysignemporium@aol.com

Approved 2nd Sign with 4' Spacing



336"



Mounting Detail

Installed Sign

Sign Description

Mark Z

Date: 10-30-19

Site Address: 40020 W 12 Mile Rd
Novi, MI

Contact Info:

Landlord Info:

Photo of Suite:

Meas. of Suite:

Site Plan:

.Eps Artwork:

Check Sign Ordinance:

Wall Color SW#:

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Oxford, MI 48370
email - mysignemporium@aol.com

Pinned-off Channel Letters - Front and Back-lit

Mounting Detail

Original Plans



Sign Description
Mark Z

Date: 10-30-19

Site Address: 40020 W 12 Mile Rd
Novi, MI

Contact Info:

Landlord Info:

Photo of Suite:

Meas. of Suite:

Site Plan:

.Eps Artwork:

Check Sign Ordinance:

Wall Color SW#:

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Street View - Signs Not Visible



Mounting Detail

Sign Description

Mark Z

Date: 10-30-19

Site Address: 40020 W 12 Mile Rd
Novi, MI

Contact Info:

Landlord Info:

Photo of Suite:

Meas. of Suite:

Site Plan:

.Eps Artwork:

Check Sign Ordinance:

Wall Color SW#:

Landlord Approval:

Permits Needed:

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Approval: _____ Date: _____

SIGN
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email - mysignemporium@aol.com

**40020 W 12 Mile Rd
Novi, MI 48377**



Freescale Semiconductor

CTI & Associates

Cobot Dr

215'

210'

40020 Twelve Mile Road

Starbucks

Twelve Mile Rd

Twelve Mile Rd

Haggerty Connector

Twelve Mile Rd

Twelve Mile Rd

ITC

Twelve Mile Rd

Google

Holiday Inn & Suites Det