



ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department

Case No. PZ15-0007 Bottlz

Location: 31260 Wakefield

Zoning District: RA, Residential Acreage

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow a second ground sign of 30 square feet. The property is located east of Novi Road and south of 14 Mile Road.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) permits a single ground sign in a RA, Residential Acreage District.

City of Novi Staff Comments:

The applicant is requesting approval for installation of a 30 square feet second ground sign with a changeable copy message sign for a separately owned and operated business. The site is entitled to a single ground sign under the Novi Sign Ordinance. Staff cannot support the request as the failure to grant relief will not 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.

Standards for Granting a Sign Variance

CITY OF NOVI, CODE OF ORDINANCES, Section 28-16 addresses Sign Variance Appeals:

I move that we **grant** the variance in Case No. PZ15-0007, 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 is consistent with the spirit and intent of the ordinance because

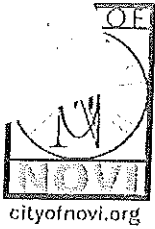
The variance granted is subject to:

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

Standards for Denying a Sign Variance

I move that we **deny** the variance in Case No. PZ15-0007, 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 Petitioner's 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 _____.



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

ZONING BOARD OF APPEALS APPLICATION

RECEIVED

MAR 06 2015

CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

I. PROPERTY INFORMATION (Address of subject ZBA Case)

PROJECT NAME / SUBDIVISION
BOTTLEZ

ADDRESS
31260 WAKEFIELD

SIDWELL #
50-22-02-200-039

CROSS ROADS OF PROPERTY

Application Fee: \$300

Meeting Date: April 7

ZBA Case #: PZ 15-0007

IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?
 YES NO

REQUEST IS FOR:
 RESIDENTIAL COMMERCIAL VACANT PROPERTY SIGNAGE

DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED?
 YES NO

II. APPLICANT INFORMATION

A. APPLICANT

EMAIL ADDRESS
RICK@BOTTLEZ-NOVI.COM

CELL PHONE NO.
248-207-7210

NAME
RICHARD JASTER

TELEPHONE NO.
248-519-4444

ORGANIZATION/COMPANY
BOTTLEZ

FAX NO.

ADDRESS
31260 WAKEFIELD

CITY
NOVI

STATE
MI

ZIP CODE
48377

B. PROPERTY OWNER CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER

Identify the person or organization that owns the subject property:

NAME

EMAIL ADDRESS

CELL PHONE NO.

TELEPHONE NO.

ORGANIZATION/COMPANY

FAX NO.

ADDRESS

CITY

STATE

ZIP CODE

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 VARIANCE REQUESTED:

1. Section 28 Variance requested ADDITIONAL SIGNAGE

2. Section _____ Variance requested _____

3. Section _____ Variance requested _____

4. Section _____ Variance requested _____

V. FEES AND DRAWINGS

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 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

Existing or proposed buildings or addition on the property

Number & location of all on-site parking, if applicable

- 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

BOTTIZ Ruben J. Joste
 Applicant Signature

3/6/15
 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

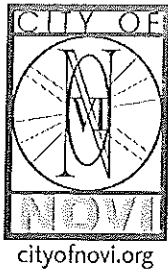
DECISION ON APPEAL:

- 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



**REVIEW STANDARDS
SIGN VARIANCE
CITY OF NOVI
Community Development Department
(248) 347-0415**

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 physical shape, topography or other physical condition of a lot or due to the location of an existing structure.

Not Applicable Applicable If applicable, describe below:

THE LOCATION OF THE EXISTING SIGN IS DIFFICULT TO
VIEW FROM 14 MILE AND NEEDS TO BE SHARED BY MULTIPLE
BUSINESSES IN THE MAPLES BUILDING

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:

THERE IS A HILL TO THE EAST OF THE SIGN AND
A BEAM TO THE WEST

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:

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 PROPERTY HAS A VERY LARGE FRONTAGE ON BOTH 14 MILE & NOXI ROADS - THE BUILDING SETS A CONSIDERABLE DISTANCE FROM THE ROAD

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:

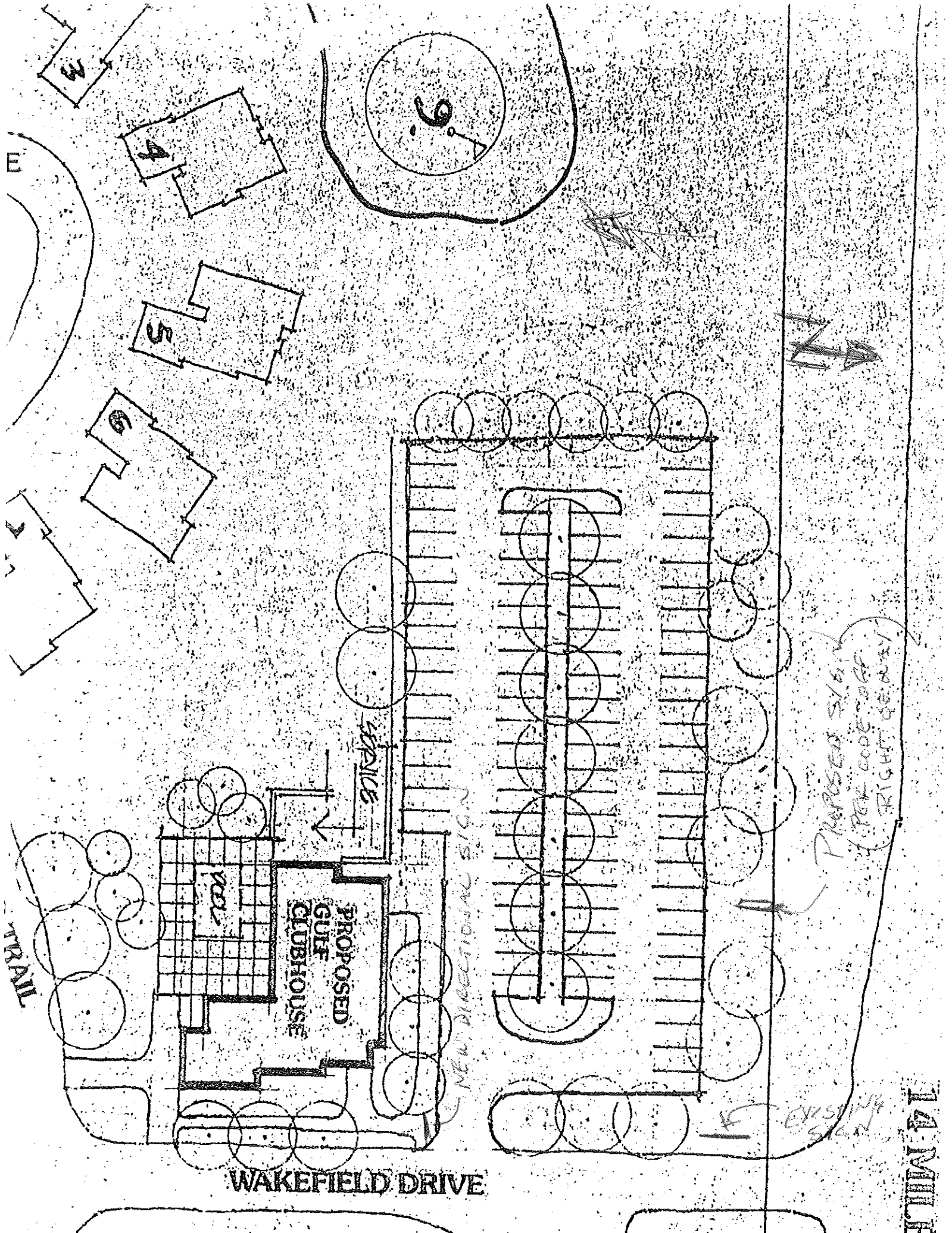
Standard #2. Limit Use of Property.

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.

WHEN THE TEMPORARY WAS REQUIRED TO BE REMOVED CUSTOMER COUNTS DROPPED BY 50%

Standard #4. Adverse Impact on Surrounding Area.

Explain how the Sig 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



PROPOSED
GOLF
CLUBHOUSE

WAKEFIELD DRIVE

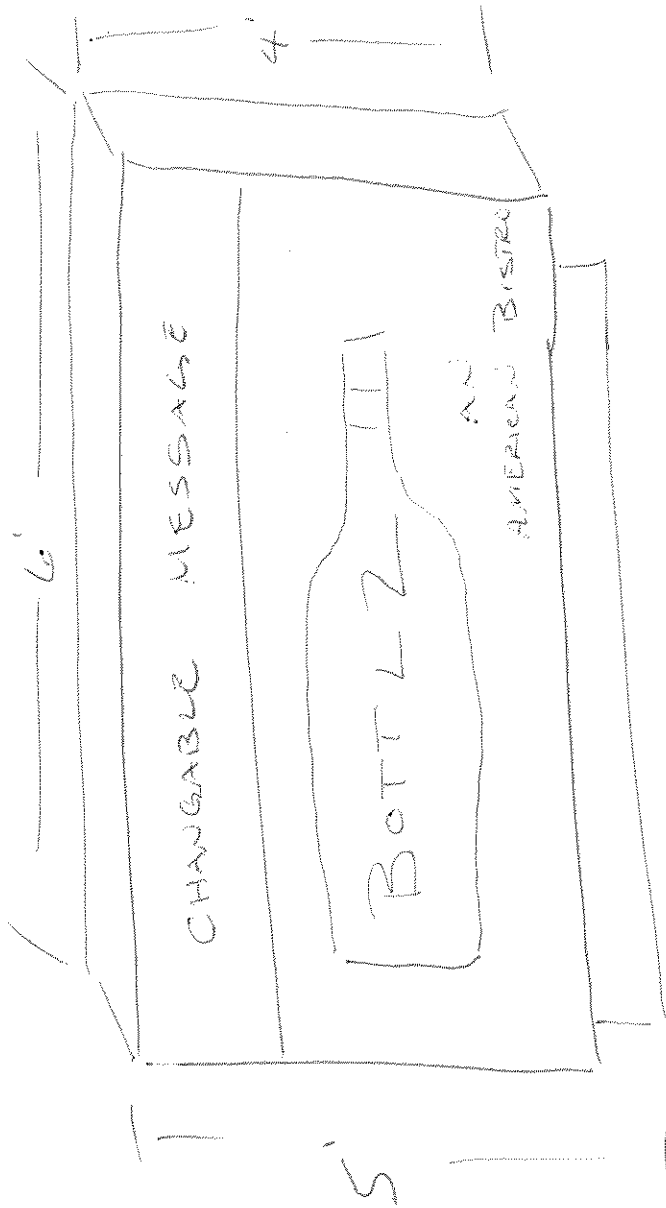
TRAIL

PROPOSED SIGN
(PER CODE BOOK)
(RIGHT OF WAY)

NEW SIGN

EXISTING
SIGN

TRAIL



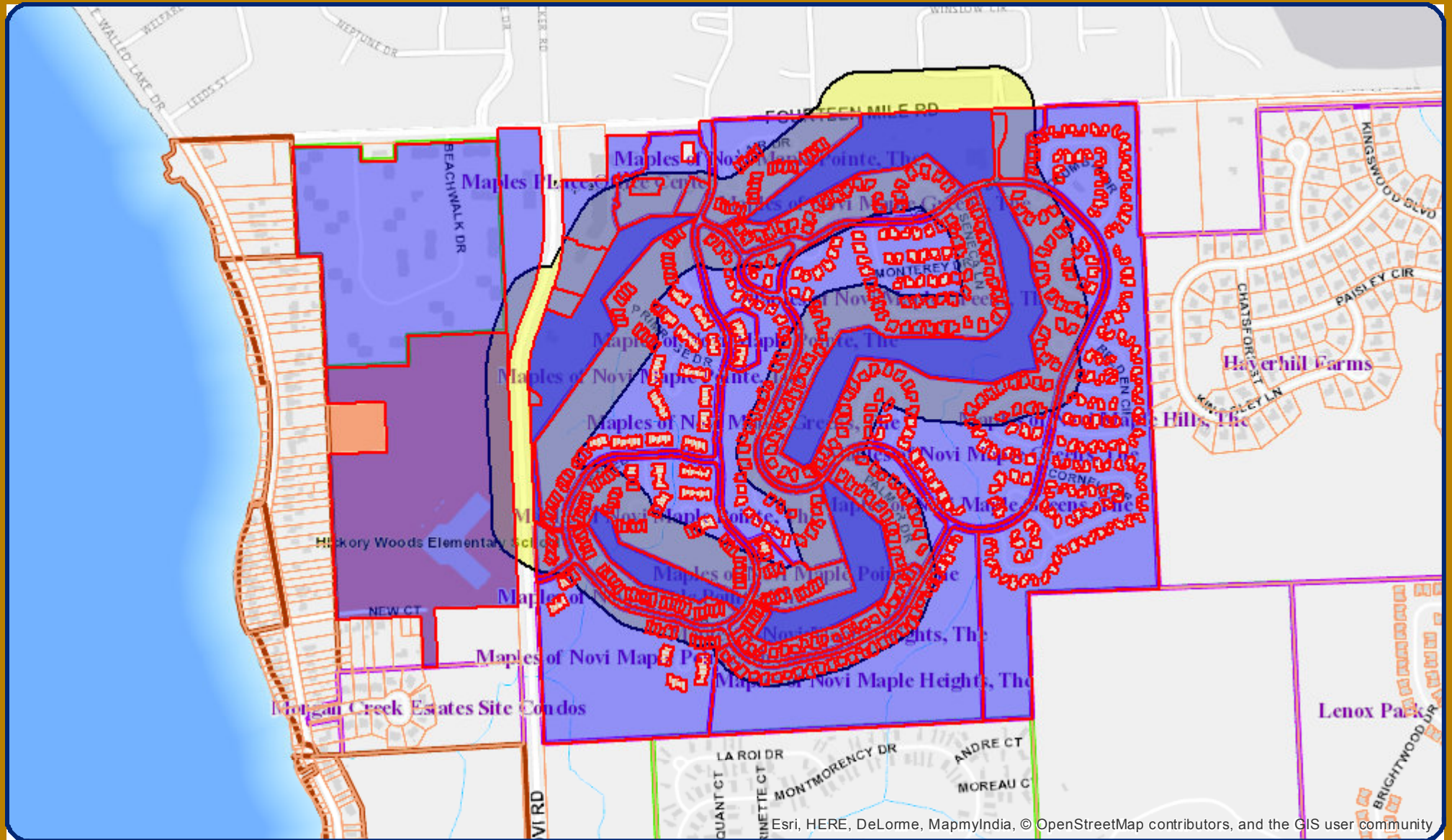
CHANGABLE MESSAGE



AMERICAN BISTRO

Novi, MI

31260 Wakefield



Esri, HERE, DeLorme, MapmyIndia, © OpenStreetMap contributors, and the GIS user community



Map Produced Using the
City of Novi, Michigan
Internet Mapping Portal



Author:
Date: 3/19/2015

0 485 970 1,940
Feet
1 inch = 978 feet

MAP INTERPRETATION NOTICE

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