



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: February 14, 2017

REGARDING: 46077 GRAND RIVER AVE (50-22-16-451-044) PZ17-0001

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

4 TECH SIGNS

Variance Type

SIGN VARIANCE

Property Characteristics

Zoning District:	I-1 (light industrial)
Location:	south of Grand River Ave and east of Beck Road
Parcel #:	50-22-16-451-001

Request

The applicant is requesting a variance from the City of Novi Code of Ordinance; Section 28-15 to allow a nonconforming ground pole sign to be used for changeable copy. This property is zoned I-1 (LIGHT INDUSTRIAL).

II. STAFF COMMENTS:

The business currently has an existing non-conforming sign. The site is very tight to the Right of Way and a new sign in a conforming location would have a significant impact on the already limited parking. Restaurants are allowed changeable copy signage, but existing non-conforming signs are only allowed to be maintained, not upgraded.

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. **PZ17-0001**, 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. **PZ17-0001**, 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

RECEIVED

JAN 03 2017

CITY OF NOVI
 COMMUNITY DEVELOPMENT

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: \$ 300
 Meeting Date: 2-14-17
 ZBA Case #: PZ 17-0001

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION <u>Ahmois Gyros & Deli</u>			
ADDRESS <u>46077 Grand River</u>		LOT/SUITE/SPACE #	
SIDWELL # <u>50-22-16-451-004</u>	May be obtain from Assessing Department (248) 347-0485		
CROSS ROADS OF PROPERTY <u>Between Taft & Beck</u>			
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 checked="" type="checkbox"/> SIGNAGE	
DOES YOUR APPEAL RESULT FROM A NOTICE OF VIOLATION OR CITATION ISSUED? <input type="checkbox"/> YES <input type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS <u>bugstar@yahoo.com</u>	CELL PHONE NO. <u>734-776-6183</u>
NAME <u>Adam Simon</u>		TELEPHONE NO. <u>313-933-4460</u>	
ORGANIZATION/COMPANY <u>4 Tech Signs</u>		FAX NO. <u>313-933-4461</u>	
ADDRESS <u>13300 Foley St.</u>	CITY <u>Detroit</u>	STATE <u>MI</u>	ZIP CODE <u>48227</u>
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <u>majed@issaproperties.com</u>	CELL PHONE NO. <u>734-260-4166</u>
NAME <u>Majed Issa</u>		TELEPHONE NO. <u>734-662-4446</u>	
ORGANIZATION/COMPANY <u>Ahmois - Issa Properties</u>		FAX NO. <u>734.821-2603</u>	
ADDRESS <u>341 E Huron St</u>	CITY <u>Ann Arbor</u>	STATE <u>MI</u>	ZIP CODE <u>48109</u>
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 checked="" type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____			
B. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>28-15(b)(1)</u>	Variance requested <u>non-conforming sign change</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			
<input type="checkbox"/> Dimensioned Drawings and Plans <input type="checkbox"/> Site/Plot Plan <input type="checkbox"/> Existing or proposed buildings or addition on the property <input type="checkbox"/> Number & location of all on-site parking, if applicable		<input type="checkbox"/> Existing & proposed distance to adjacent property lines <input type="checkbox"/> Location of existing & proposed signs, if applicable <input type="checkbox"/> Floor plans & elevations <input type="checkbox"/> 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:

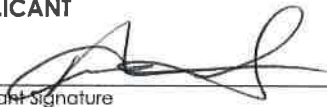
The undersigned hereby appeals the determination of the Building Official / Inspector or Ordinance made

CONSTRUCT NEW HOME/BUILDING ADDITION TO EXISTING HOME/BUILDING SIGNAGE

ACCESSORY BUILDING USE OTHER _____

VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT


Applicant Signature

12/26/16
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

12-15-16
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

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:

*Applied for approved monument sign (conforming)
Not right of way would make it to middle of
and/or the parking lot*

- 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:

*location of proposed sign will be
seen if approval*

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:

existing sign prior to
occupancy

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.

existing sign is high and
is hard to notice the
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.

sign variance will allow
more business and a new
fresh look for the area

4TECH T. 313-933-4460
SIGNS F. 313-933-4461
4TechSigns@gmail.com
13300 Foley St., Detroit, MI 48227

REPLACE 2 - 112"x48"x.177" LEXAN PLASTIC FACES ON EXISTING POLE SIGN WITH 112"x24" LEXAN PLASTIC FACES & INSTALL 2'X8' LED MESSAGE BOARD



46077 GRAND RIVER AVE.



**EXISTING
SIGNAGE
FOR:**

**46077
GRAND
RIVER**

City of Novi



MAP INTERPRETATION NOTICE

Map information displayed is not intended to replace or substitute for any official or other source. This map was intended to meet National Map Accuracy Standards and was the most recent, accurate information available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor, as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to learn more about the data used in the creation of this map.



1 inch = 47 feet



Map Print Date:
11/14/2016



City of Novi

45175 Ten Mile Rd
Novi, MI 48375
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November 30, 2016

4 Tech Signs
13300 Foley St.
Detroit, Michigan 48227

RE: AHMO'S – 46077 GRAND RIVER

The sign permit application for the above location has been reviewed and denied.

Sign Code Section 28-15(b)(1) does not permit nonconforming signs to be altered or to change the shape, size, type or design of the sign. The proposed sign would change the type of sign.

Should you wish to request consideration of a variance from the Zoning Board of Appeals you may do so by completing the application available on our website at www.cityofnovi.org and submitting it to the Community Development Department along with the hearing fee of \$300.00.

Please feel free to contact me at 248-347-0438 or jniland@cityofnovi.org with any questions.

Sincerely,

CITY OF NOVI

A handwritten signature in blue ink, appearing to read 'Jeannie Niland', is positioned above the typed name.

Jeannie Niland
Ordinance Enforcement Officer