

ZONING BOARD OF APPEALS
CITY OF NOVI
Community Development Department
(248) 347-0415

Case No. 11-031 Spirit Halloween

Location: 27754 Novi Road

Zoning District: Regional Center (RC)

The applicant is requesting a variance from Section 28-5(3) to allow placement of an additional sixty (60) square foot wall sign on the west elevation of a retail structure located on the perimeter of the 12 Oaks Mall site.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) allows only one sign per business.

City of Novi Staff Comments:

The petitioner is requesting a variance to allow placement of a second wall sign of sixty (60) square feet on the west elevation of the existing retail building located between Novi Road and the 12 Oaks Mall ring road. Staff cannot support the request as the failure to grant relief will not unreasonably prevent or limit the use of the property and will not result in substantially more than mere inconvenience or inability to attain a higher economic or financial return.

Standards for Granting a Sign Variance

- 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.
- 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.
- The grant of relief will not result in a use of 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 of the ordinance.



cityofnovi.org

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For Official Use Only

ZBA Case No: 11-031 ZBA Date: 10/11/11 Payment Received: \$ (Cash)
Check # Include payment with cash or check written to "City of Novi."

TO BE COMPLETED BY APPLICANT - PLEASE PRINT

Please submit one original signed application and 13 copies of all supporting documentation relevant to the appeal,

Applicant's Name BILL CLANTON Date 8-22-2011
Company (if applicable) SPIRIT HALLOWEEN
Address* 6826 BLACK HORSE AVE city EGG HARBOR ST NJ ZIP 08234
Applicant's E-mail Address: SPDIST201@SPIRIT-HALLOWEEN.COM
Phone Number 609 402-7218 FAX Number ()

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial X Signage

1. Address of subject ZBA case: 27754 Novi Rd. ZIP

2. Sidwell Number: 5022 - 14-100-051 may be obtained from Assessing Department (248) 347-0485

3. Is the property within a Homeowner's Association Jurisdiction? Yes No

4. Zoning: RA R-1 R-2 R-3 R-4 RT RM-1 RM-2 MH OS-1 OS-2 OSC OST OTHER

5. Property Owner Name (if other than applicant) COMMERCIAL REALITY

6. Does your appeal result from a Notice of Violation or Citation Issued? Yes No

7. Indicate ordinance section(s) and variances requested:

- 1. Section Variance requested
2. Section Variance requested
3. Section Variance requested
4. Section Variance requested

8. Please submit an accurate, scaled drawing of the property showing:

- a. All property lines and dimensions correlated with the legal description.
b. The location and dimensions of all existing and proposed structures and uses on property.
c. Any roads, easements, drains, or waterways which traverse or abut the property and the lot area and setback.
d. Dimensions necessary to show compliance with the regulations of this Ordinance.

9. State the practical difficulties which prevent conformance with the Zoning Ordinance requirements (attach separate sheet if necessary):

10. Describe any unique circumstances regarding the property (i.e., shape, topography, etc.) which are not common to other properties in the area and which prevent strict compliance with the Zoning Ordinance:

TWO KEY SIDES OF BUILDING FACE TRAFFIC AREAS.
WE WOULD LIKE SECOND SIGN TO FACE MALL.
SIGNS WILL BE REMOVED NOV. 3rd 2011.

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 the 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.

Variance approval is void if permit not obtained within one hundred eighty (180) days of date of decision.

There is a five (5) day hold period before work/action can be taken on variance approvals.

All property owners' within 300 feet of ZBA property address will be notified of the ZBA case and variance requests.

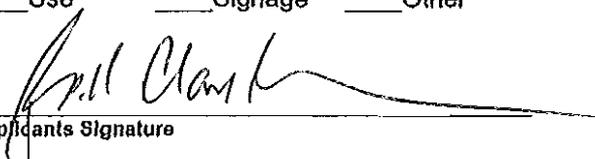
PLEASE TAKE NOTICE:

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

Construct New Home/Building Addition to Existing Home/Building Accessory Building

Use Signage Other

Applicants Signature



Date

8-22-2011

Property Owners Signature

Date

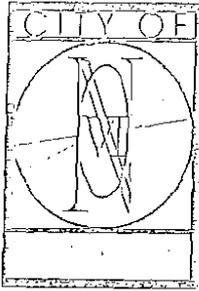
DECISION ON APPEAL

Granted Denied Postponed by Request of Applicant Board

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following items and conditions:

Chairperson, Zoning Board of Appeals

Date



CITY COUNCIL

Mayor
David B. Landry

Mayor Pro Tem
Bob Gatt

Terry K. Margolis

Andrew Mutch

Dave Staudt

Justin Fischer

Wayne M. Wrobel

City Manager
Clay J. Pearson

City Clerk
Maryanne Cornelius

August 22, 2011

Commercial Reality
101 E. Main St.
Flushing, Michigan 48433

RE: SPIRIT HALLOWEEN – 27754 NOVI RD

The sign permit applications for the above location have been reviewed and denied. Specifications on the type of material being used for the sign are required to determine compliance with the City of Novi Sign Code.

Please submit detailed drawings of the sign materials.

If you have any questions please contact me at 248-347-0438.

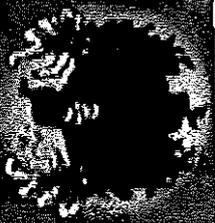
Sincerely,

CITY OF NOVI

Jeannie Niland
Ordinance Enforcement Officer



AVAILABLE
COMMERCIAL
REALTY, INC.
810, 659-3900


SPIRIT
HALLOWEEN

AVAILABLE
COMMERCIAL
REALTY, INC.
(810) 659-8900

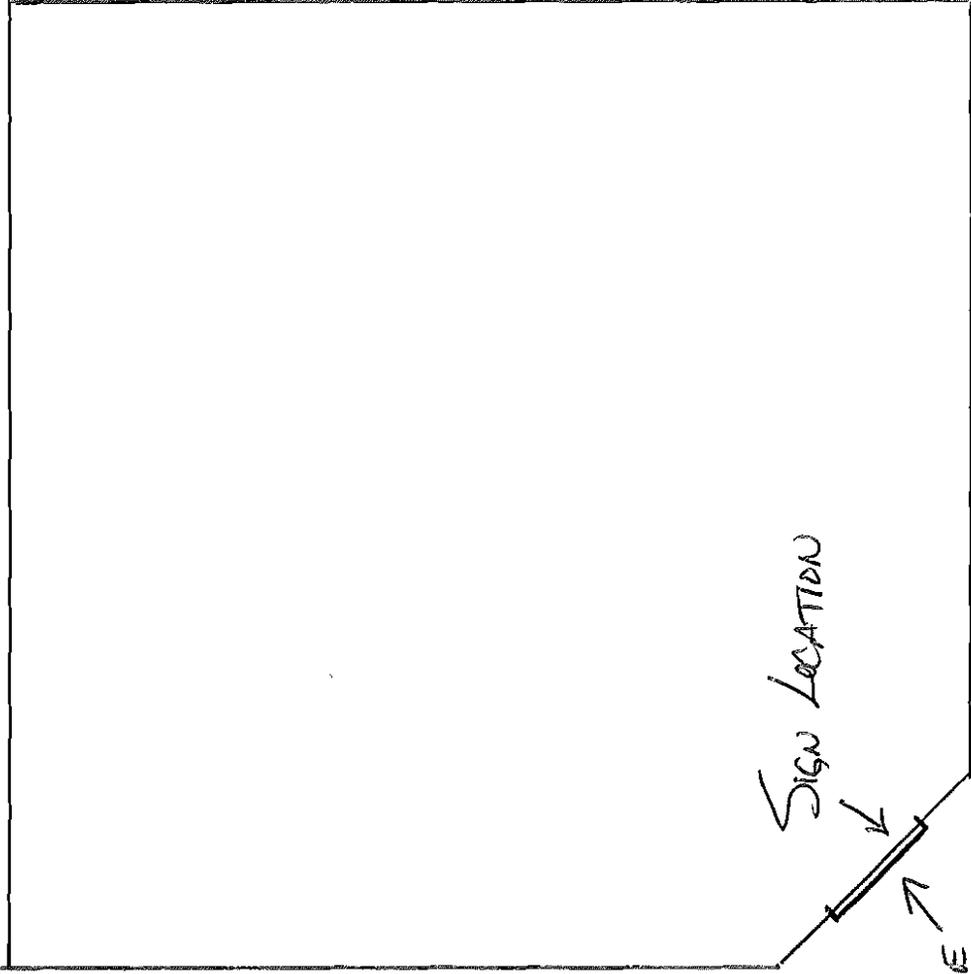
SOUTH ↑



NOVI
RD.



EAST

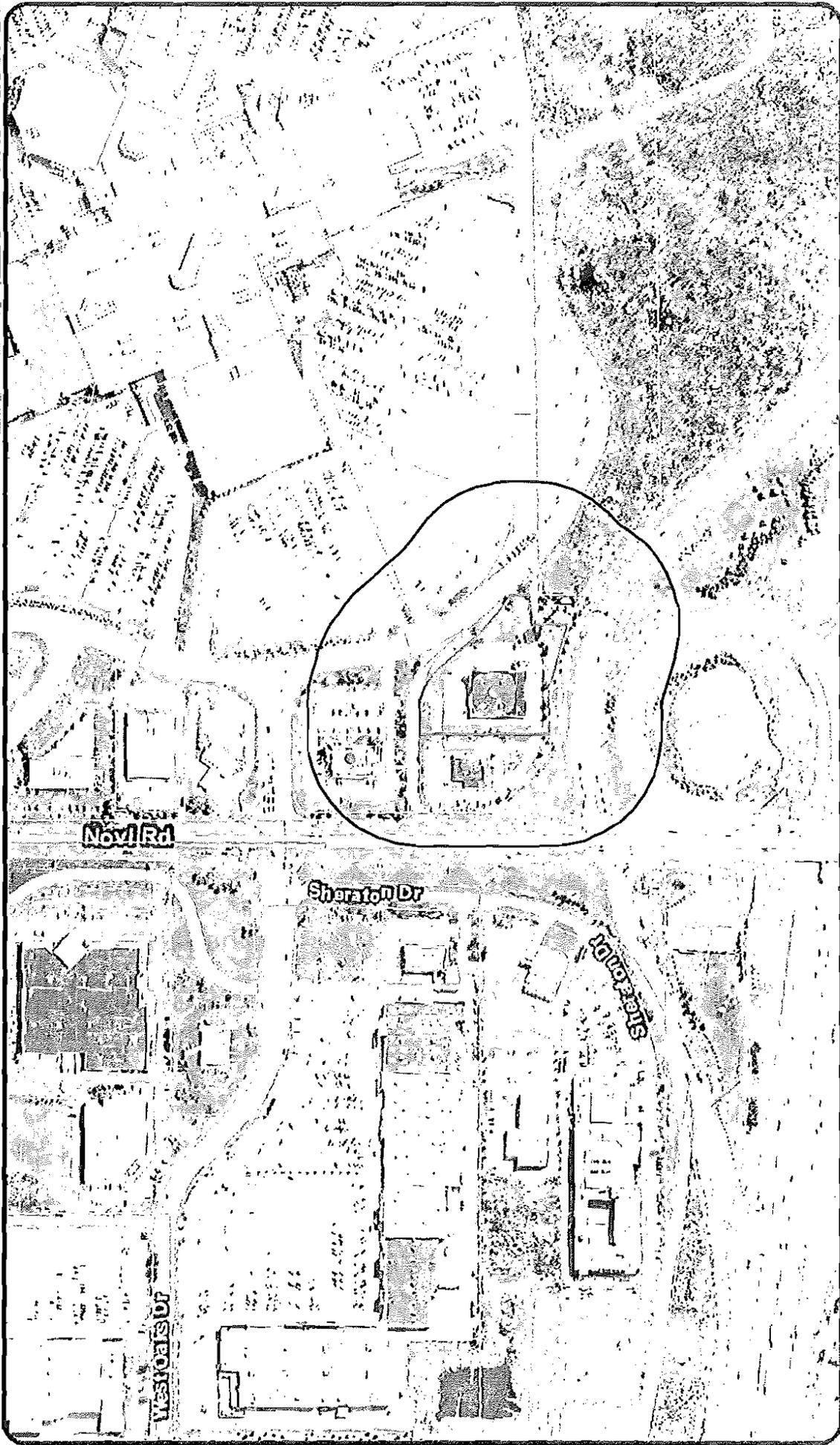


WEST

NORTH

STORE #60445 NOVI, MI.
SPIRIT HALLOWEEN.

City of Novi
Spirit Halloween



Map Interpretation Notice
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent, accurate sources available to the people of the City of Novi. Survey 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 of 1976 as amended. Please contact the City GIS Manager for current sources and accuracy information available on this map. This map was produced under the terms of the City of Novi Interim Site Use Policy (<http://www.novi.org/InterimSiteUsePolicy.asp>)

0 1875 375 750 Feet
NAD83 = 388 feet

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


City of Novi

date: 09/29/2014