

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

Case No. 12-046 44225 Twelve Mile Road Ste C118 (JD Racing)

Location: 44225 Twelve Mile Road Ste C118

Zoning District: RC, Regional Center District

The applicant is requesting variances from Section 28-5(3) and 28-5 (2)b.1(a)(i)a of the Novi Sign Ordinance to allow (2) wall signs of 165.4 sq. ft. and 402.8 sq. ft. for a new business within the Twelve Mile Crossing development. A single wall sign of 65 square feet is allowed by right. The property is located west of Novi Road and north of Interstate-96.

Ordinance Sections:

CITY OF NOVI, CODE OF ORDINANCE, Section 28-5(3) limits the tenant suite to a single sign while 28-5 (2)b.1(a)(i)a allows 1-1/4 square foot of signage for each lineal foot of frontage up to a maximum of 65 sq. ft.

City of Novi Staff Comments:

The applicant is requesting significant variances to allow multiple oversize signs for a new recreational use within the existing center.. While the property is fairly large and is somewhat unique staff does not support granting the variances 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. If the Board is inclined to consider granting the variances, staff suggests consideration of a lesser variance as the request totals 568.2 square feet vs. the maximum 65 sq. ft. allowed by the Ordinance.

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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Community Development Department
(248) 347-0415

RECEIVED

For Official Use Only

ZBA Case No. P212-0046 ZBA Date: 10/9/12 Payment Received: \$ AUG 29 2012 (Cash)

Check # 17108 Include payment with cash or check written to "City of Novi."

CITY OF NOVI
COMMUNITY DEVELOPMENT

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 KERRY KULAS Date 08/27/2012

Company (if applicable) SPECTRUM NEON CO.

Address* 3750 E. OUTER DRIVE City DETROIT ST MI ZIP 48234
*Where all case correspondence is to be mailed.

Applicant's E-mail Address: k.kulas@spectrumneon.com

Phone Number (313) 366 7333 FAX Number (313) 366 8328

Request is for:

Residential Construction (New/ Existing) Vacant Property Commercial Signage

1. Address of subject ZBA case: 44225 W. 12 MILE RD. UNIT C118 ZIP 48167

2. Sidwell Number: 5022-15 200 100 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 JSC OST R C OTHER

5. Property Owner Name (if other than applicant) SPIGEL PROPERTIES, SAN ANTONIO, TX
210 349 3636

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 28-5 (2) Variance requested INCREASED SQFT. AREA

2. Section 28-5 (3) Variance requested SECOND SIGN

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):

SEE ATTACHED

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:

SEE ATTACHED

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.

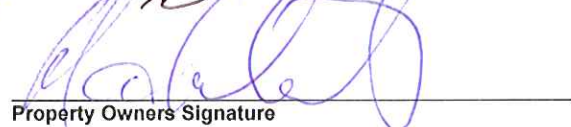
PLEASE TAKE NOTICE:

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

08/27/2012
Date


Property Owners Signature

8/28/12
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



08.24.2012

To: City of Novi – ZBA
RE: JD Racing - Variance request

North Elevation Sign– 12 Mile Rd.

The problems existing in regards to the sign sought in applying for the variance include the diminished appearance the sign would present if kept to the current standard of 65 sq. ft. as currently specified in the city ordinances 28 – 5 (2) b.1.(a)(i). The set back from 12 Mile road to the North façade is the main factor for this request in variance.

East Elevation Sign– Donelson Dr.

In asking for a second sign on the East elevation, we are looking to take advantage of the traffic that exists on Donelson Dr. which is a main connecting road from 12 Mile to Fountain Walk Ave. This elevation also includes the main entrance to the facility.

We ask that you consider the distance from the intersection of Karevich Dr. & Donelson Dr. to our location, which is substantial, but is a main thoroughfare to other popular businesses. We are asking that we be able to take advantage of traffic at that intersection that would pass straight thru or go south from Karevich Dr. A sign on the east elevation at the size we are requesting would bring interest, light and branding to what would otherwise, if the variance is not granted, be difficult for motorists and potential customers to recognize our location as an active retail establishment.

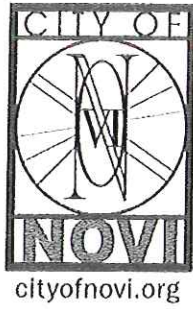
The current allowable signage will not be able to be seen from the traffic pattern used. Patrons will not be able to locate the business easily. Current signage maximums put the signage disproportionately out of scale with the building & surrounding businesses.

Our research shows that similar variances in relation to increased size and multiple signs have been granted for businesses within the same complex that include Emagine Theater, Dicks Sporting Goods, Power House Gym, The Great Indoors (now Sears Outlet) and The Putting Edge.

Thank you for your consideration.

Kerry Kulas
Project Manager

A handwritten signature in dark ink, appearing to read 'Kerry Kulas', is written over the typed name and title.



August 28, 2012

Spectrum Neon Co.
3750 E. Outer Drive
Detroit, Michigan 48234

RE: JD RACING – 44225 TWELVE MILE ROAD C118

The sign permits for the above location have been reviewed and denied.

North Elevation Sign
Sign Code Section 28-5 (2) b.1.(a)(i)a. permits 1-1/4 square foot of sign for each lineal foot of frontage up to a maximum of 65 square feet.

The proposed sign is 165.4 square feet.

East Elevation Sign
Sign Code Section 28-5 (3) permits one sign per building.

The proposed sign would be a second sign for the building. This sign is calculated at 402.8 square feet.

Should you wish to request consideration for a variance from the Zoning Board of Appeals, you may do so by contacting the board secretary, Angie Pawlowski, at 248-347-0459.

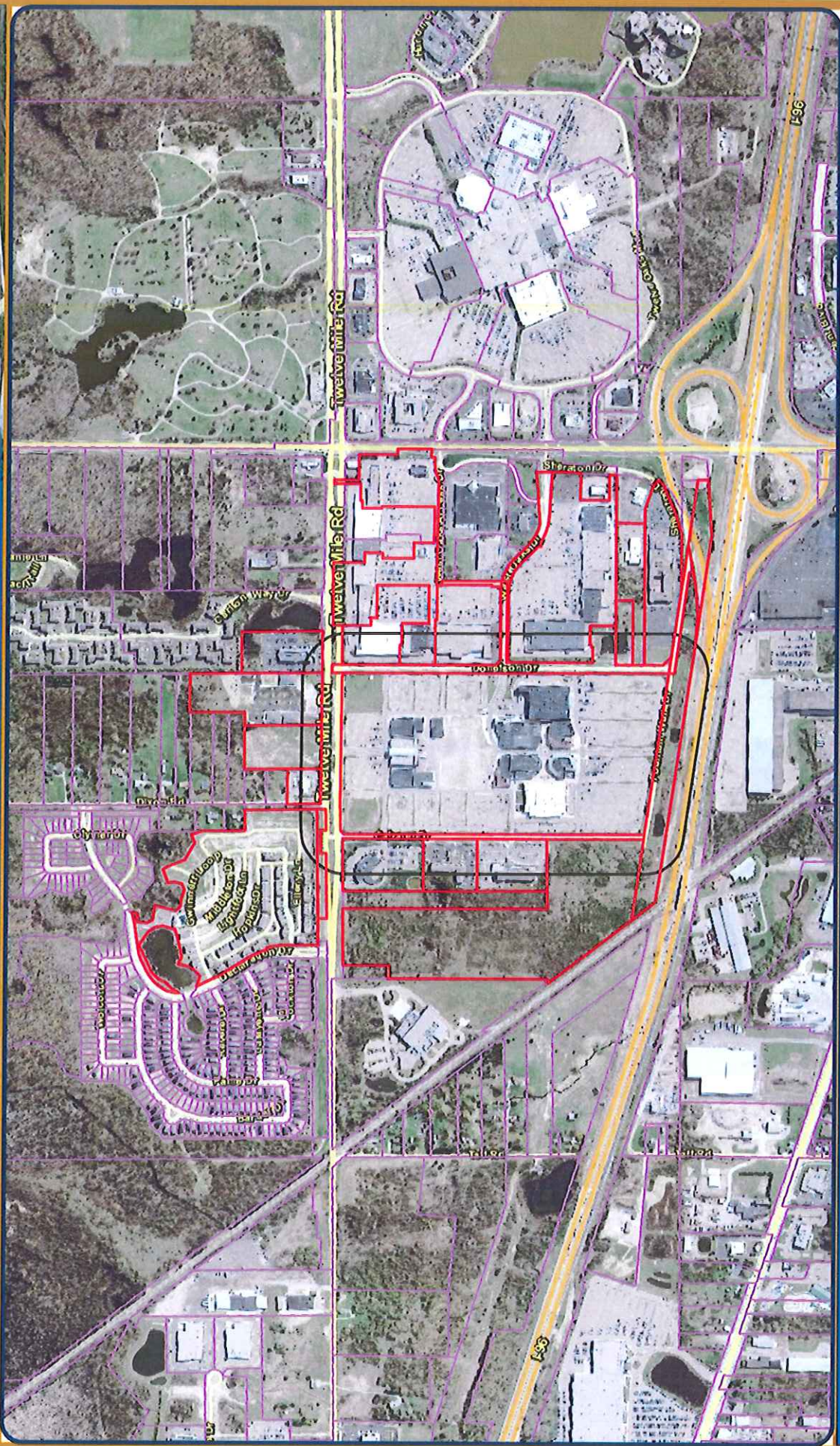
If you have any questions please contact me at 248-347-0438.

Sincerely,

CITY OF NOVI


Jeannie Niland
Ordinance Enforcement Officer

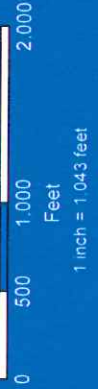
City of Novi
44225 Twelve Mile C118



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

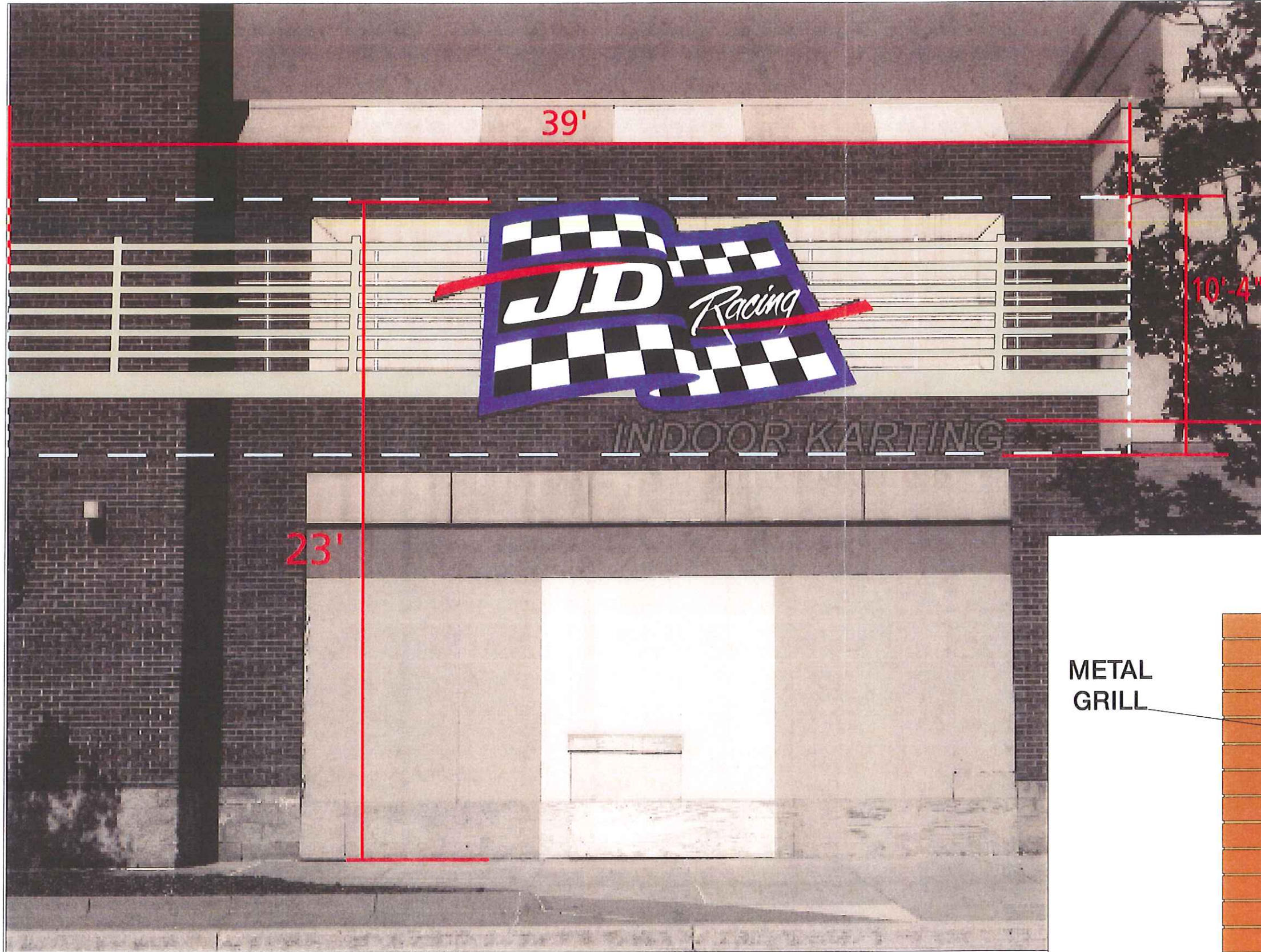


Date: 9/8/2012



MAP INTERPRETATION NOTICE

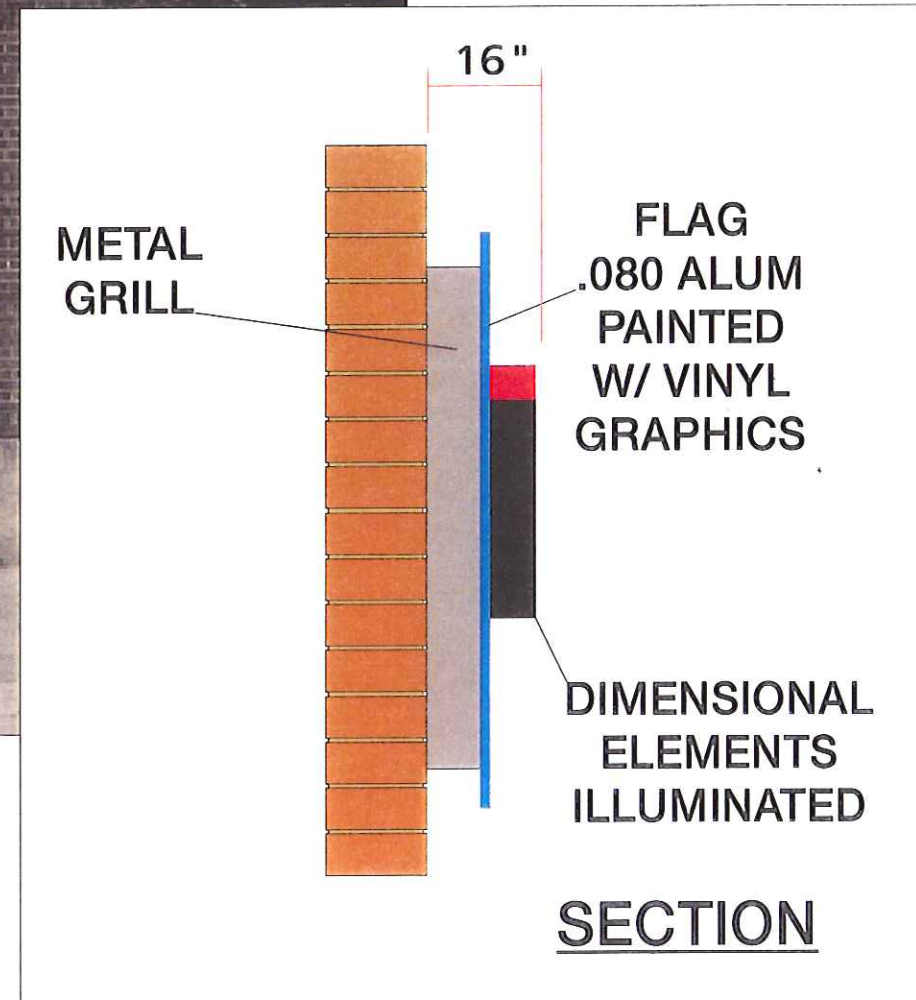
Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate 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 confirm source and accuracy information related to this map. This map was produced under the terms of the City's Internet Site Use Policy available at <http://cityofnovi.org/Resources/SiteUsePolicy.asp>



SIGN AREA

CHANNEL
LETTERS
ON BRICK

EAST ELEVATION



www.spectrumneon.com

File Name: EAST ILLUMINATED SIGN

Customer: JD RACING

Location: NOVI, MI

Date: 08.22.2012

Drawn by: KK

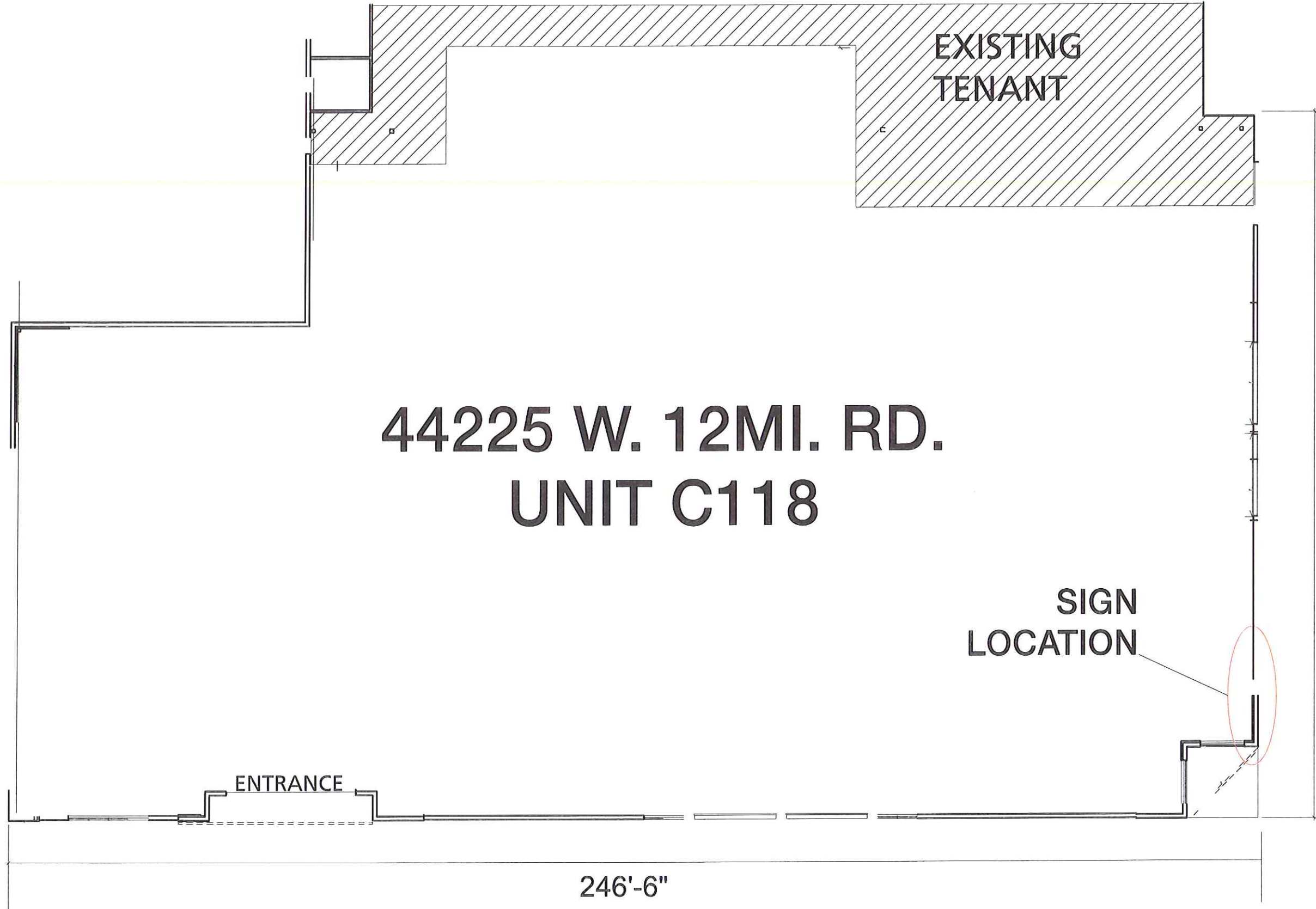
Checked by:



SPECTRUM NEON CO.
SIGNS • LIGHTING

3750 E. Outer Drive
Detroit, MI 48234
P: 313.366.7333
F: 313.366.8328

This drawing is the property of SPECTRUM NEON CO. Detroit, MI and is submitted in connection with the transaction to which it pertains and is not to be traced or copied. It must not be used in any manner detrimental to our interests and must be returned upon request.



**44225 W. 12MI. RD.
UNIT C118**

**EXISTING
TENANT**

ENTRANCE

**SIGN
LOCATION**

138'-8"

246'-6"

DONELSON RD.

12 MILE RD.

PLAN VIEW

www.spectrumneon.com

File Name: EAST ILLUMINATED SIGN

Customer: JD RACING

Location: NOVI, MI

Date: 08.22.2012

Drawn by: KK

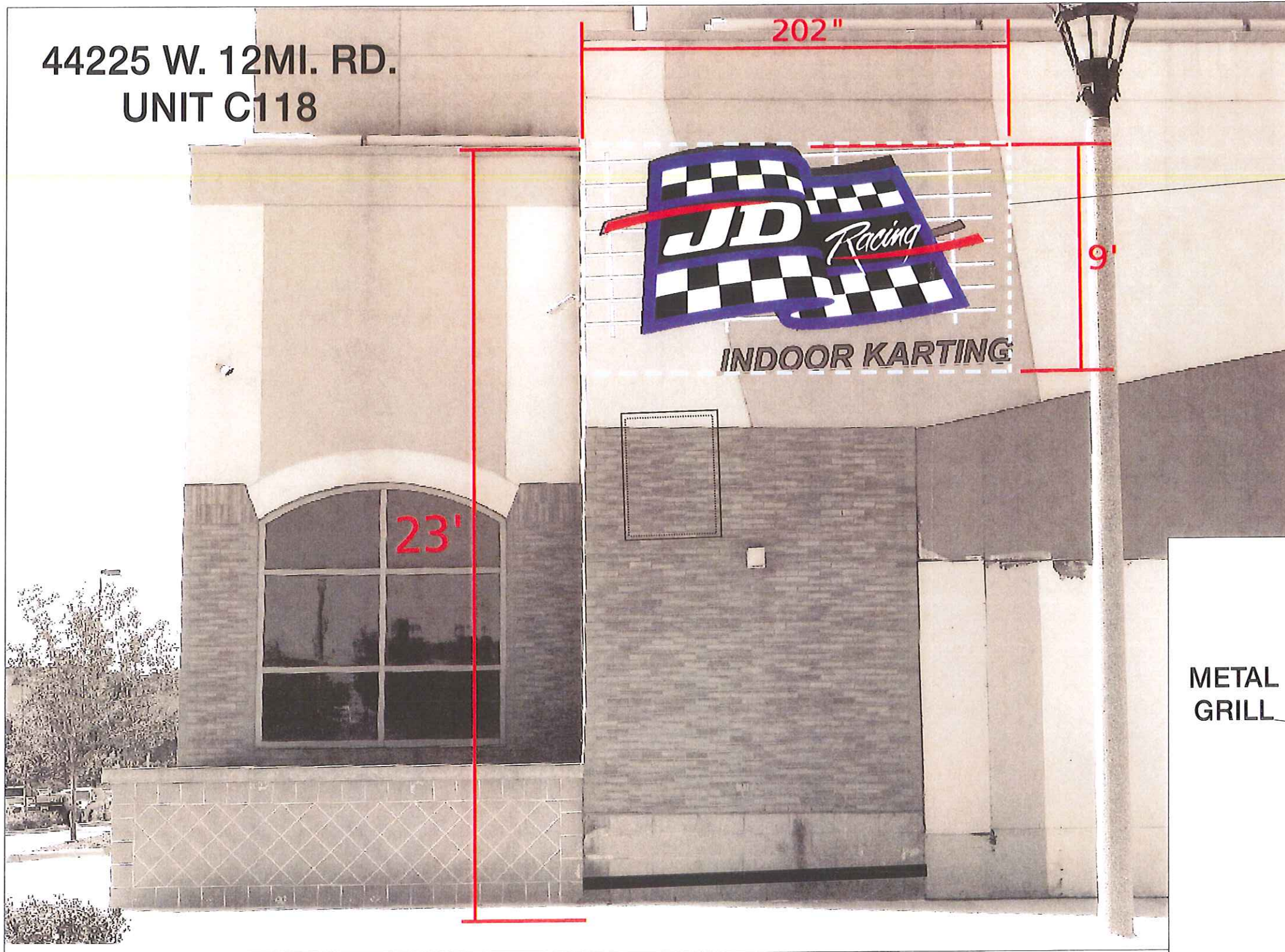
Checked by:

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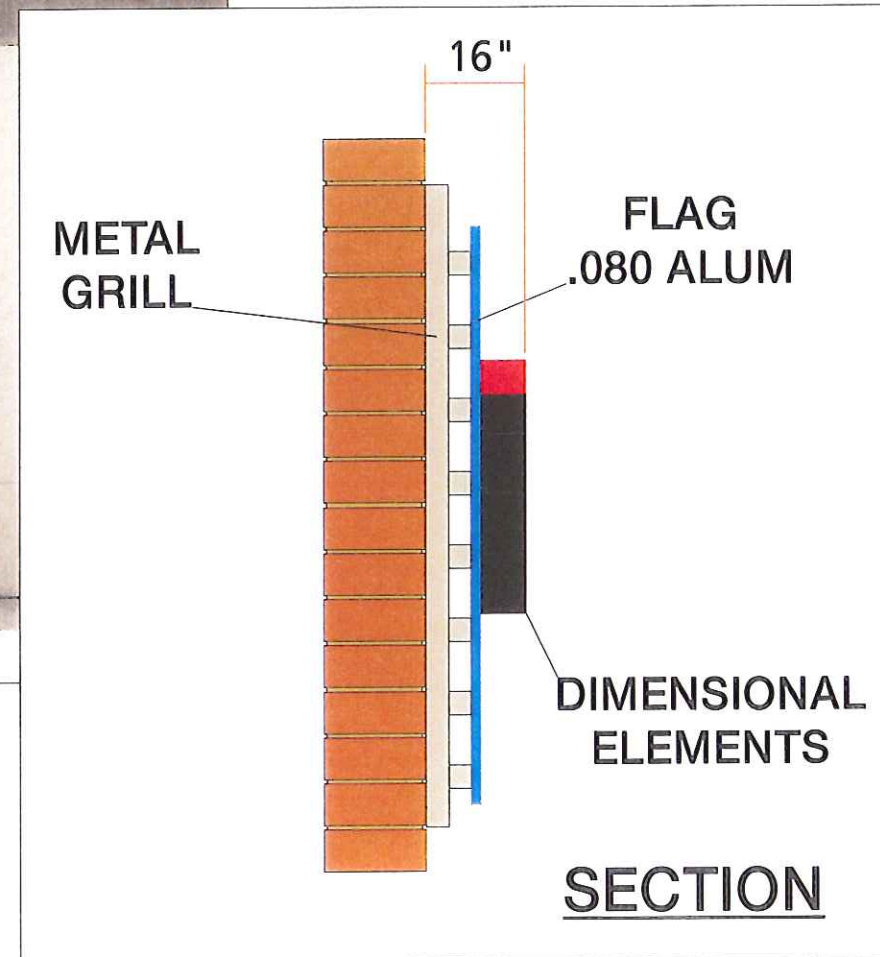
SPECTRUM NEON CO.
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Detroit, MI 48234
P 313.366.7333
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44225 W. 12MI. RD.
UNIT C118



SIGN AREA

NORTH ELEVATION



www.spectrumneon.com

File Name: EAST ILLUMINATED SIGN

Customer: JD RACING

Location: NOVI, MI

Date: 08.22.2012

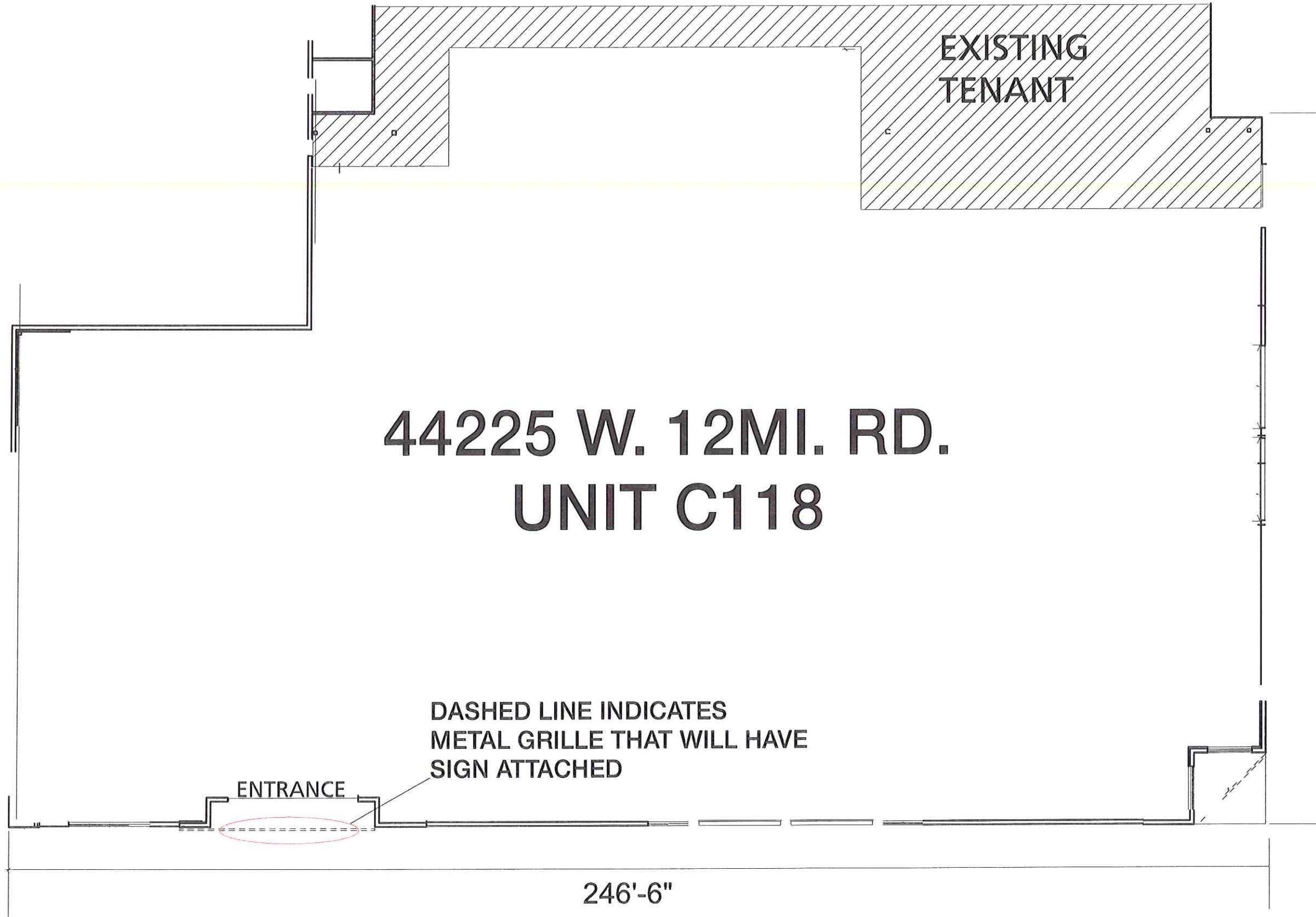
Drawn by: KK

Checked by:

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SPECTRUM NEON CO.
SIGN LIGHTING
3750 E. Outer Drive
Detroit, MI 48234
P. 313.366.7333
F. 313.366.8328



44225 W. 12MI. RD.
UNIT C118

DASHED LINE INDICATES
METAL GRILLE THAT WILL HAVE
SIGN ATTACHED

ENTRANCE

246'-6"

138'-8"

DONELSON RD.

12 MILE RD.

PLAN VIEW

www.spectrumneon.com

File Name: EAST ILLUMINATED SIGN

Customer: JD RACING

Location: NOVI, MI

Date: 08.22.2012

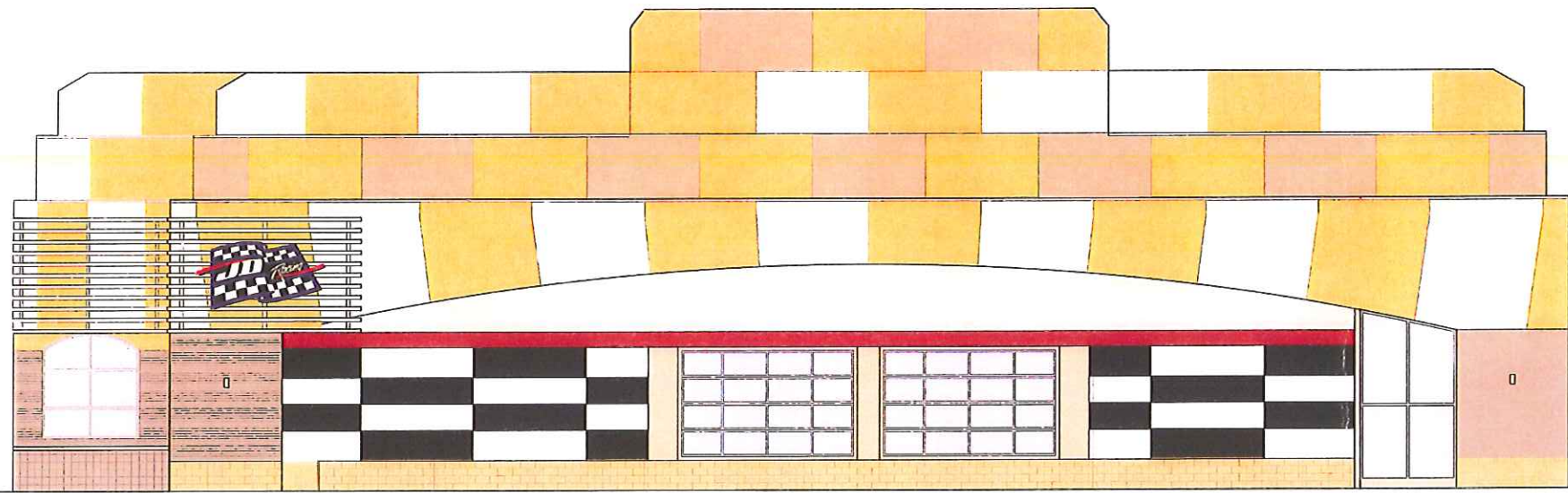
Drawn by: KK

Checked by:

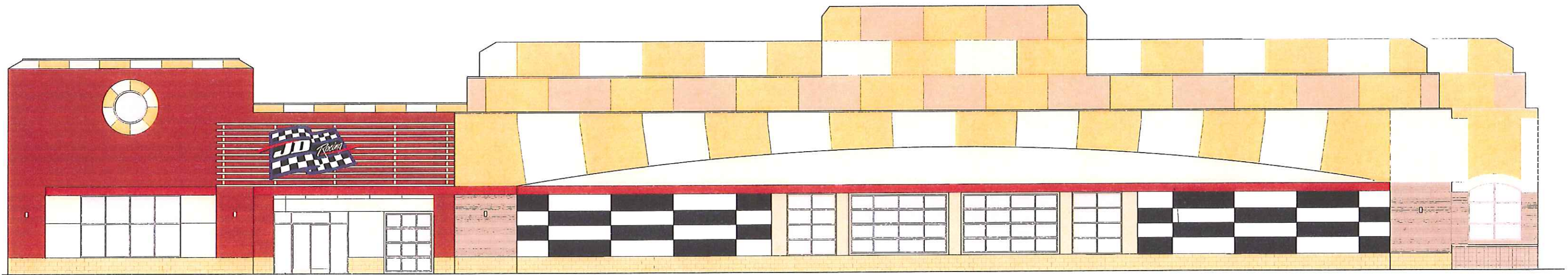
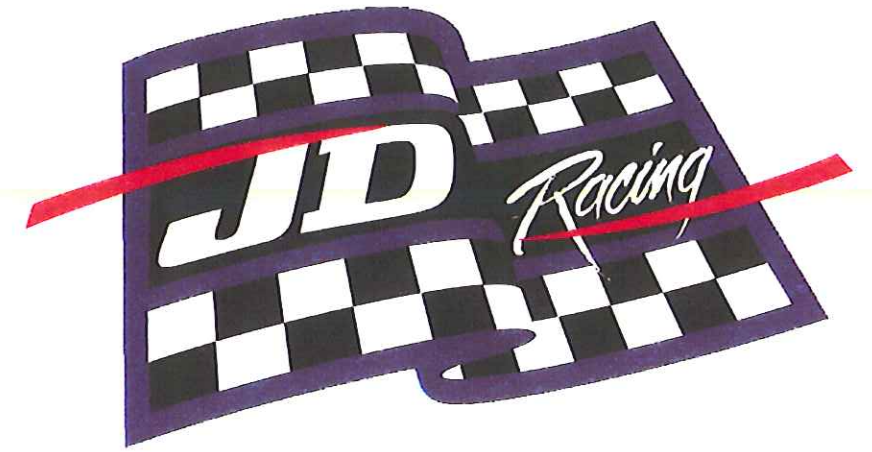
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NORTH ELEVATION



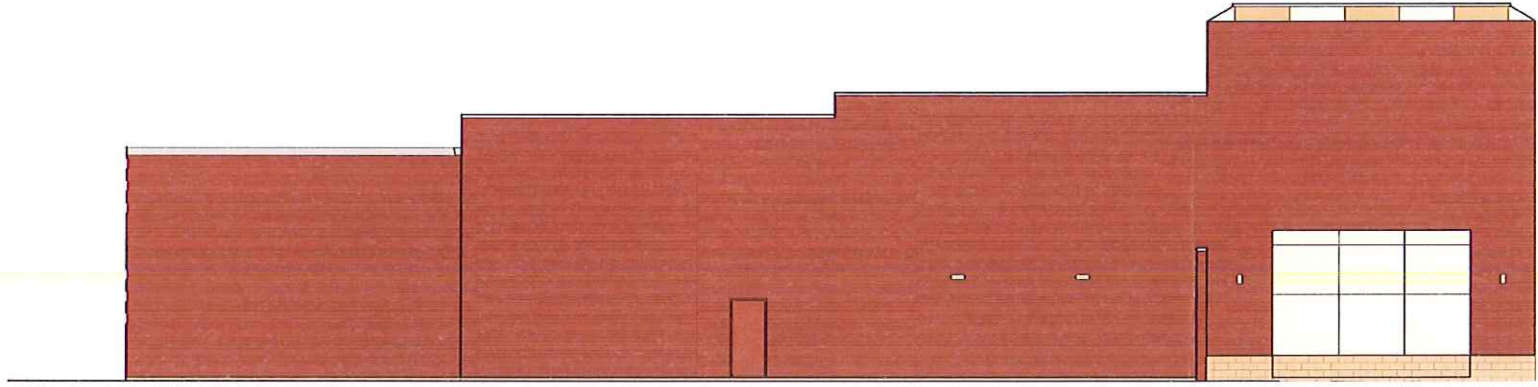
EAST ELEVATION



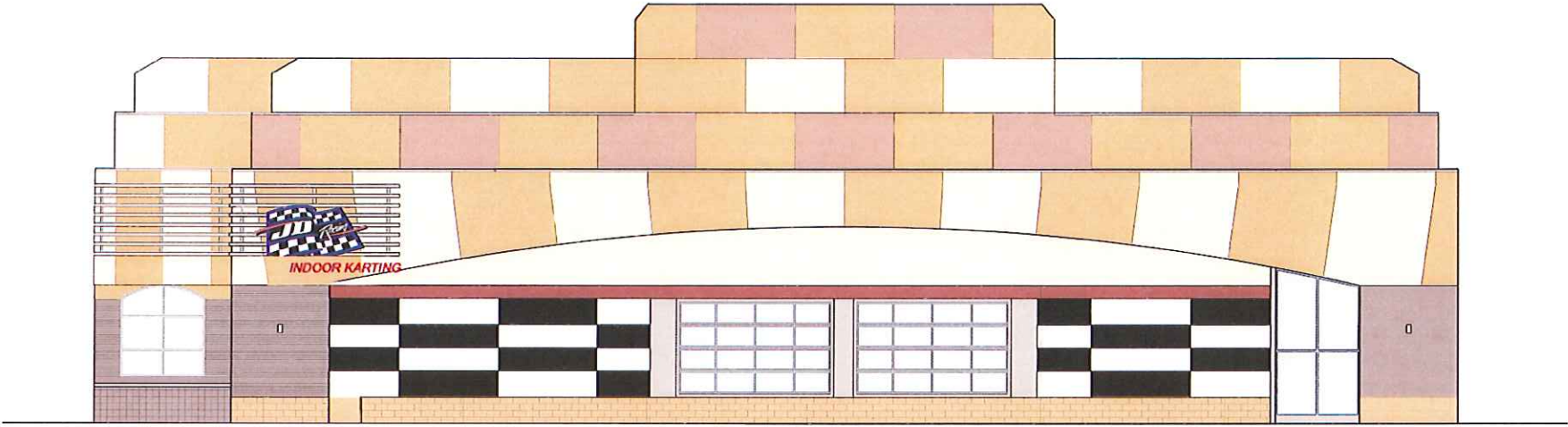
www.spectrumneon.com

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Location: NOVI, MI			

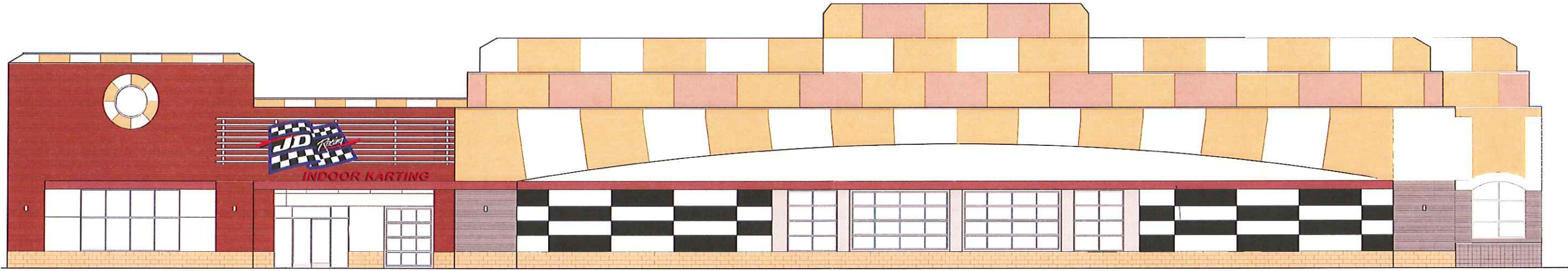
SPECTRUM NEON CO.
SIGNS & LIGHTING
 3750 E. Outer Drive
 Detroit, MI 48234
 P: 313.366.7333
 F: 313.366.8328



SOUTH ELEVATION



NORTH ELEVATION



EAST ELEVATION

SPECTRUM NEON CO.
SIGNS • LIGHTING
 3750 E. Outer Drive
 Detroit, MI 48234
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 F. 313.366.8328

File Name: EAST ILLUMINATED SIGN	Date: 08.22.2012	Drawn by: KK	Checked by:
Customer: JD RACING	This drawing is the property of SPECTRUM NEON CO. Detroit, MI and is submitted in connection with the transaction to which it pertains and is not to be traced or copied. It must not be used in any manner detrimental to our interests and must be returned upon request.		
Location: NOVI, MI			

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