



# 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:** October 8, 2019

**REGARDING:** 43535 Grand River Ave, Parcel # 50-22-22-227-029 (PZ19-0040)

**BY:** Larry Butler, Deputy Director Community Development

### I. GENERAL INFORMATION:

**Applicant**

Philips Sign and Lighting / Beaumont Urgent Care

**Variance Type**

Sign

**Property Characteristics**

|                  |   |
|------------------|---|
| Zoning District: | Regional Center                                   |
| Location:        | West of Novi Road and South of Grand River Avenue |
| Parcel #:        | 50-22-22-227-029                                  |

**Request**

The applicant is requesting variances from the City of Novi Code of Ordinances Section 28-5(a) for a proposed second wall sign, one sign allowed by code This property is zoned Town Center-1 (TC-1).

### 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. **PZ19-0040**, 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. **PZ19-0040**, 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



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

# ZONING BOARD OF APPEALS APPLICATION

APPLICATION MUST BE FILLED OUT COMPLETELY

|  |  |  |   |                                      |                          |
|--|--|--|---|--------------------------------------|--------------------------|
| <b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>   |  |  |   | Application Fee: _____               |                          |
| PROJECT NAME / SUBDIVISION<br><b>BEAUMONT URGENT CARE</b>  |  |  |   | Meeting Date: _____                  |                          |
| ADDRESS<br><b>43535 GRAND RIVER</b>  |  | LOT/SIUTE/SPACE #                                      |   | ZBA Case #: <b>PZ</b> _____          |                          |
| SIDWELL #<br><b>50-22-22 -221 -UU2</b>   |  | May be obtain from Assessing Department (248) 347-0485 |   |                                      |                          |
| CROSS ROADS OF PROPERTY<br><b>NOVI ROAD</b>  |  |  |   |                                      |                          |
| IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION?<br><input type="checkbox"/> YES <input checked="" type="checkbox"/> NO  |  |  | REQUEST IS FOR:<br><input type="checkbox"/> RESIDENTIAL <input 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  |  |  |   |                                      |                          |
| <b>II. APPLICANT INFORMATION</b>   |  |  |   |                                      |                          |
| <b>A. APPLICANT</b>  |  | EMAIL ADDRESS<br><b>STEPHANIE@PHILLIPSSIGN.COM</b>     |   | CELL PHONE NO.                       |                          |
| NAME<br><b>ED PHILLIPS</b>   |  |  |   | TELEPHONE NO.<br><b>586 468 7110</b> |                          |
| ORGANIZATION/COMPANY<br><b>PHILLIPS SIGN &amp; LIGHTING INC.</b>   |  |  |   | FAX NO.                              |                          |
| ADDRESS<br><b>40920 EXECUTIVE DRIVE</b>  |  | CITY<br><b>HARRISON TOWNSHIP</b>                       |   | STATE<br><b>MI</b>                   | ZIP CODE<br><b>48045</b> |
| <b>B. PROPERTY OWNER</b> <input 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<br><b>SCOTT HUGHES (TENANT)</b>   |  |  |   | TELEPHONE NO.                        |                          |
| ORGANIZATION/COMPANY<br><b>CITY CENTER PLAZA - BEAUMONT URGENT CARE (TENANT)</b>   |  |  |   | FAX NO.                              |                          |
| ADDRESS<br><b>200 RENAISSANCE CENTER STE 3145</b>  |  | CITY<br><b>DETROIT</b>                                 |   | STATE<br><b>MI</b>                   | ZIP CODE<br><b>48243</b> |
| <b>III. ZONING INFORMATION</b>   |  |  |   |                                      |                          |
| <b>A. ZONING DISTRICT</b>  |  |  |   |                                      |                          |
| <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<br><input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input type="checkbox"/> TC <input checked="" type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____  |  |  |   |                                      |                          |
| <b>B. VARIANCE REQUESTED</b>   |  |  |   |                                      |                          |
| INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:   |  |  |   |                                      |                          |
| 1. Section <b>SEC 28-5</b>   |  | Variance requested                                     |   | NUMBER OF SIGNS PERMITTED _____      |                          |
| 2. Section _____   |  | Variance requested                                     |   | _____                                |                          |
| 3. Section _____   |  | Variance requested                                     |   | _____                                |                          |
| 4. Section _____   |  | Variance requested                                     |   | _____                                |                          |
| <b>IV. FEES AND DRAWINGS</b>   |  |  |   |                                      |                          |
| <b>A. FEES</b>   |  |  |   |                                      |                          |
| <input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250<br><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<br><input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600 |  |  |   |                                      |                          |
| <b>B. DRAWINGS 1-COPY &amp; 1 DIGITAL COPY SUBMITTED AS A PDF</b>  |  |  |   |                                      |                          |
| <ul style="list-style-type: none"> <li>• Dimensioned Drawings and Plans</li> <li>• Site/Plot Plan</li> <li>• Existing or proposed buildings or addition on the property</li> <li>• Number &amp; location of all on-site parking, if applicable</li> </ul>  |  |  | <ul style="list-style-type: none"> <li>• Existing &amp; proposed distance to adjacent property lines</li> <li>• Location of existing &amp; proposed signs, if applicable</li> <li>• Floor plans &amp; elevations</li> <li>• Any other information relevant to the Variance application</li> </ul> |                                      |                          |



# 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

*Ed Phillips*  
Applicant Signature

9-3-19  
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.

*Approved - BUC - LL signature forthcoming*  
Property Owner Signature

9-3-19  
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](http://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:

*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:

*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:

Our challenge is trees. Our site is nicely landscaped including many mature trees. After trimming trees it is clear that our existing wall sign will always be a challenge to keep visible as the forest grows up around us. As an urgent Care, we see a variety of people with a variety of needs from the common cold to serious health conditions. It is imperative that we are well branded assisting our clients in an emotional time of need. Anyone missing our building would be greatly delayed considering the traffic flow, speed limit and our sites' proximity to the Novi Road/Grand River intersection. Again, our objective is to get our clients to our building in the most efficient, safe manner possible.

**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:

Our practical difficulty is not self created, but will be ongoing as trees grow.

## **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.

Failure to grant relief will only add traffic and potential client confusion.

## **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.

We believe our sign will be a benefit to the surrounding area. As an Urgent Care, our mission is care to the surrounding and outlying areas.

**Item #1**

TOTAL SIGN AREA: 40 Sq. Ft.

**Channel Letters**  
Qty: (1)

Lead #: 1905125

PROJECT: Beaumont Urgent Care  
FILE: Urgent Care Novi-Side Chm) Letters

SITE ADDRESS: 43535 Grand River Ave.,  
Novi, MI

LEAD: EP  
LAYOUT: KP

Order:  
7-25-19

REVISION:  
KP-7-26-19  
KP-8-22-19

Design, details and plant represented herein are  
the sole property of Phillips Sign & Lighting, Inc.  
All or any portion of the design (including photographs)  
are protected. Attempts to duplicate designs without  
written consent may result in legal repercussions.

phillips SIGN & LIGHTING inc.



Ph: 586.468.7110

40920 Executive Drive  
Harrison Twp., MI  
48045-1363

**Item #1**

Simulated Elevation View



visit us at: [phillippsign.com](http://phillippsign.com)

Approved: \_\_\_\_\_

Date: \_\_\_\_\_

Item #1

TOTAL SIGN AREA: 40 Sq. Ft.

# East Elevation



"Beaumont"  
 AVG. Stroke: 4.5"  
 AVG. Character: 16.5"

"Urgent Care"  
 AVG. Stroke: 3.5"  
 AVG. Character: 10"

- 1** Channel Letters: "BEAUMONT"  
 Painted Aluminum returns  
 Acrylic Face with  
 Painted Opaque Border  
 Painted 1" Jewelite Trim  
 Internally Illuminated w. L.E.D.s  
 Raceway Mount
- 2** Channel Letters: "URGENT CARE"  
 Aluminum returns  
 Acrylic Face with  
 Opaque Vinyl Border  
 1" Jewelite Trim  
 Internally Illuminated w. L.E.D.s  
 Raceway Mount

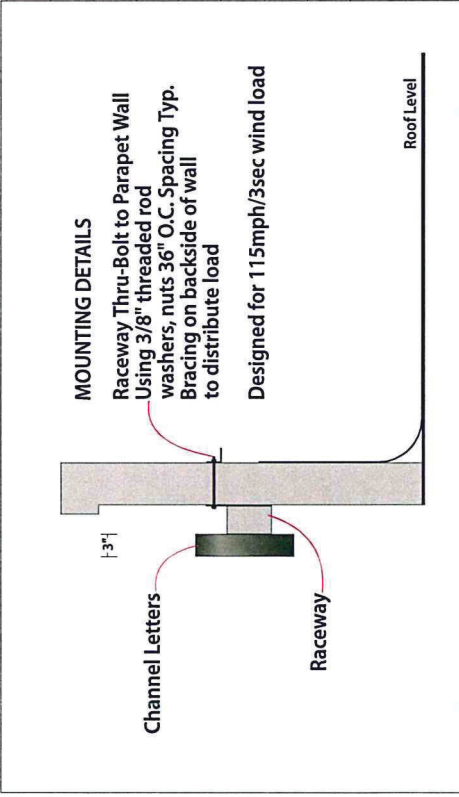
Design, details and plans represented herein are the sole property of Phillips Sign & Lighting, Inc. All rights reserved. No part of this document may be reproduced or transmitted in any form or by any means electronic or mechanical, including photocopying, recording, or by any information storage and retrieval system, without written consent may result in legal repercussions.

Phillips SIGN & LIGHTING inc.



Ph: 586.468.7110

40920 Executive Drive  
 Harrison Twp., MI  
 48045-1363



visit us at: **phillipssign.com**

Approved: OK INSTAL Date: \_\_\_\_\_

Permit: DM 7-31-19



# SITE PLAN

43535 Grand River Ave

Lead #: 1905125 Job #: 36303

PROJECT: Beaumont Urgent Care  
FILE: Urgent Care Novi-Side Chnl Letters-  
PERMIT

SITE ADDRESS: 43535 Grand River Ave.,  
Novi, MI

LEAD: EP REVISION:  
KP-7-26-19

LAYOUT: KP

Date:  
7-25-19

1 Location of proposed channel  
letters wall sign to be installed  
per the elevation drawings

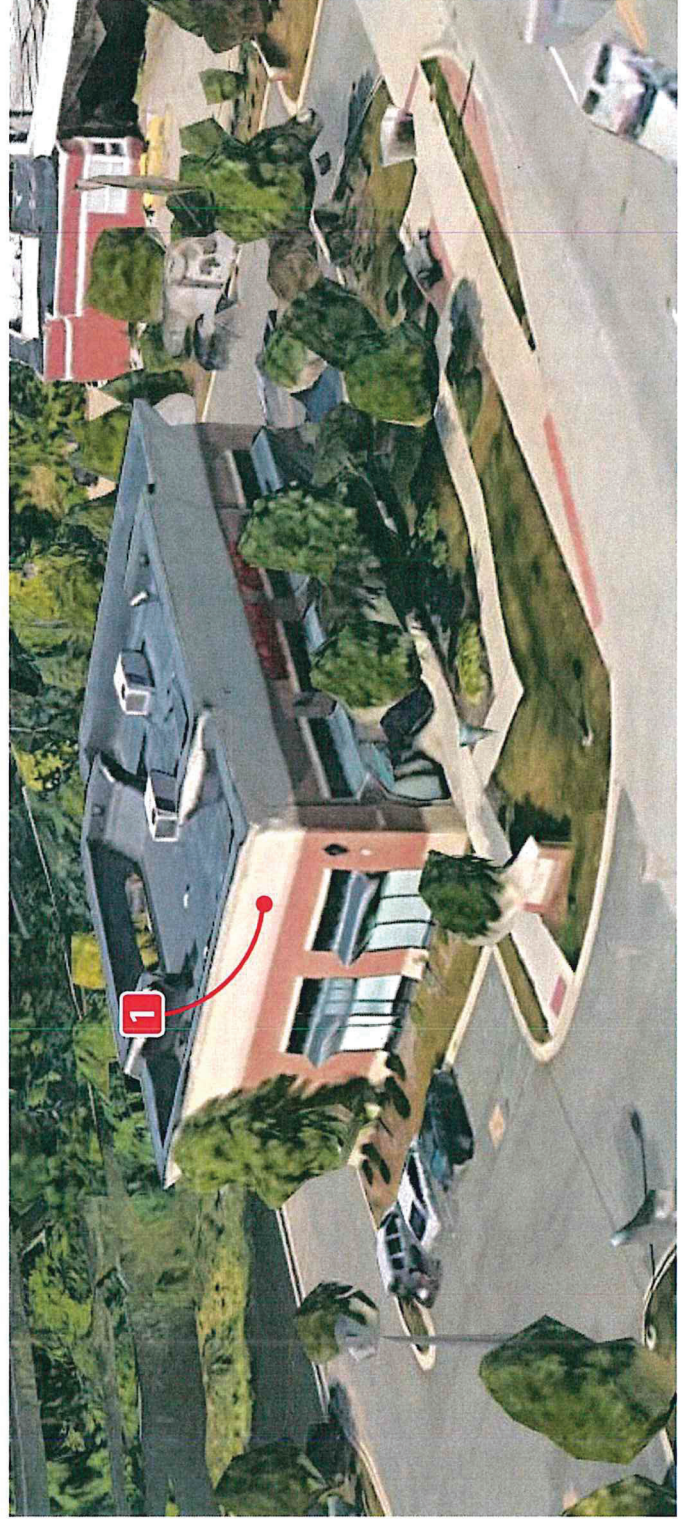
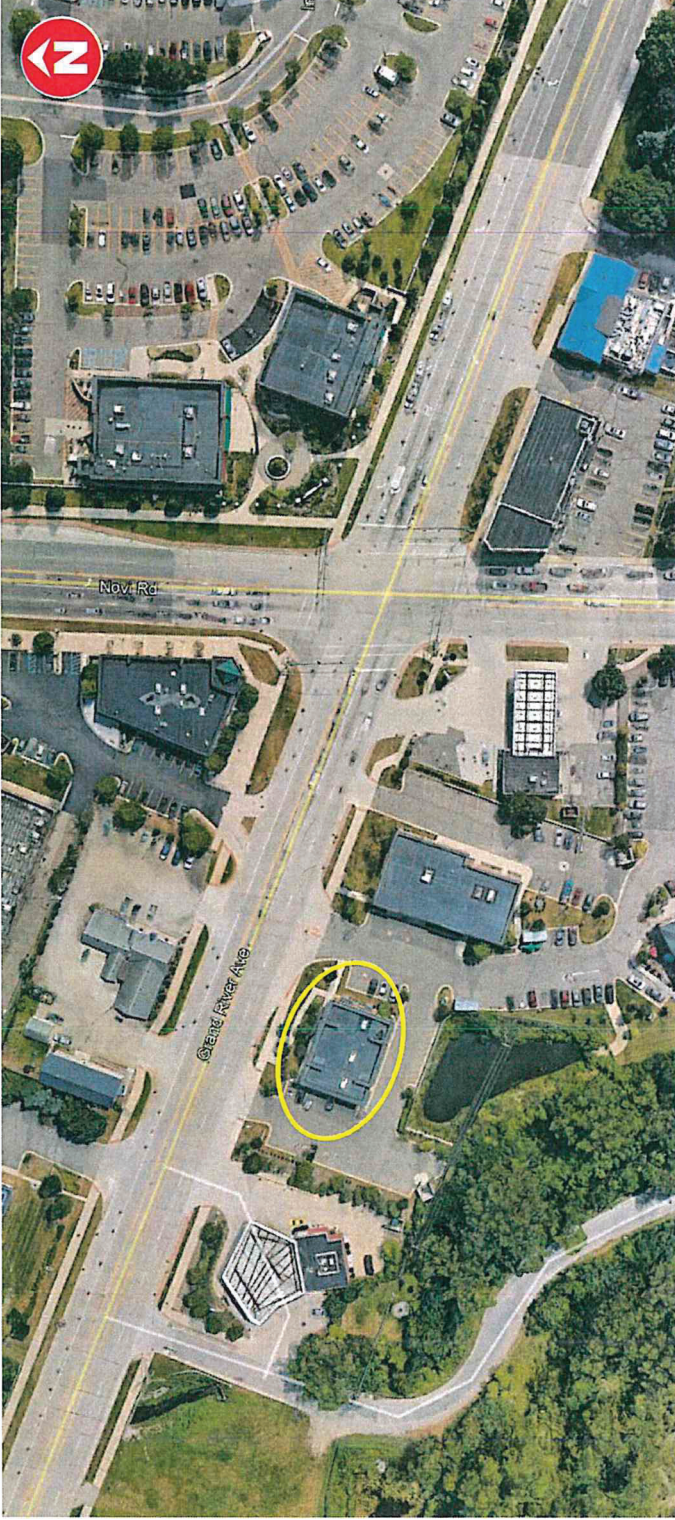
Design, details and plans represented herein are  
the sole property of Phillips Sign & Lighting, Inc.  
All rights reserved. No part of this document (whether  
it be text, graphics or otherwise) may be reproduced,  
copied, stored in a retrieval system, or transmitted in  
any form or by any means, electronic, mechanical,  
photocopying, recording, or by any information  
storage and retrieval system, without the prior  
written consent may result in legal repercussions.

Phillips SIGN & LIGHTING inc.



Ph: 586.468.7110

40920 Executive Drive  
Harrison Twp., MI  
48045-1363



Permit: DM 7-31-19

Approved: \_\_\_\_\_ Date: \_\_\_\_\_

visit us at: [phillipssign.com](http://phillipssign.com)