

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

**Case No. PZ13-0011 42400 Grand River (Access Point)**

**Location: 42400 Grand River**

**Zoning District: B-3, General Business District**

The applicant is requesting variances from Section 28-5(3) of the Novi Sign Ordinance to allow addition of a 24 square foot wall sign on the exterior of a multi-tenant office building. The property is currently served by a ground sign allowed by right and is proposed to remain. The property is located east of Novi Road, and north of Grand River.

**Ordinance Sections:**

CITY OF NOVI, CODE OF ORDINANCE, Section 28-5(3) permits only one sign if a ground sign is used and permits a wall sign only for businesses with a separate exterior entrance.

**City of Novi Staff Comments:**

The applicant is requesting the variance for identification of a tenant occupying a significant portion of an existing Office structure. The business does not have a separate entrance on the exterior of the building. The Entire building is allowed a single ground sign or wall sign by right and the building will continue to be served by the existing ground sign.

**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 because\_\_\_\_\_.
- 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 because\_\_\_\_\_.
- 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 because\_\_\_\_\_.



cityofnovi.org

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(248) 347-0415

For Official Use Only

ZBA Case No: P2130011 ZBA Date: 3/12/13 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 Infinity-42400 Grand River, LLC Date 01/23/2012

Company (if applicable) Bino Soave

Address\* 42400 Grand River Ave Ste 112 City Novi ST MI ZIP 48375

\*Where all case correspondence is to be mailed.

Applicant's E-mail Address: Rsoave@Infinityhomescorp.com

Phone Number (248) 449-8084 FAX Number (248) 449-8136

Request is for:

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

1. Address of subject ZBA case: 42400 Grand River Ave Ste 200 ZIP 48375

2. Sidwell Number: 5022-23-226-028 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 B3

5. Property Owner Name (if other than applicant) SAME

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):

See Attachment "A"

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 Attachment "A"

**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

01/23/2013

Property Owners Signature

Date

01/23/2013

**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



cityofnovi.org

January 25, 2013

Rino J. Soave  
Infinity-42400 Grand River LLC  
42400 Grand River Avenue  
Suite 112  
Novi, Michigan 48375

RE: ACCESS POINT – 42400 Grand River

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

Sign Code Section 28-5 (3) permits only one sign per parcel.  
There currently exists a ground sign at this location.

Sign Code Section 28-5 (3) f. permits a wall sign for a business with a separate exterior entrance if no other sign exists at the location.  
This tenant does not have a separate exterior entrance.

Should you wish to request consideration of a variance from the Zoning Board of Appeals, you may do so by contacting the board secretary, Angie Pawlowski, at 248-437-0459.

Please feel free to contact me at 248-347-0438 if you have any questions.

Sincerely,

CITY OF NOVI

Jeannie Niland  
Ordinance Enforcement Officer





42400 Grand River Suite 112 Novi, MI 48375  
Phone: (248) 449-8084 Fax: (248) 449-8136

[www.Infinityhomescorp.com](http://www.Infinityhomescorp.com)

## **ATTACHMENT A**

### **ZONING BOARD OF APPEALS APPLICATION**

#9/10

The building monument sign at The Maxim Building will allow for better visibility and presence along the busy Grand River corridor. One of our current tenants, Access Point who is requesting the building sign, is a mid-size small business with over 50 employees housed at the subject property in addition to having several offices in southeastern Michigan as well in several other states. The company receives a lot of out of state business clientele that frequent the property on a daily basis. Despite the building presence, a lot of their clientele has difficulty locating the building so additional signage would allow for better visibility for their clientele and presence for their business (Especially to identify the building after dark).

In addition to our request, the proposed variance is in conformity with most of the buildings, both office and retail uses, along the Grand River corridor that have both monument signs and illuminated building signs. It is important to note that building monument signage was installed on subject building before and was placed there for number of years through the 1990's and early into the last decade until the main tenant that occupied the building relocated and removed the sign upon their vacating.

The company's lease is currently set to expire in the near future and is looking to relocate into another facility in near-by Farmington Hills that will allow for a building signage presence. The company currently leases about 12,000 square feet from our company (which is nearly one-fourth of the total building size). In an effort to prevent them from relocating to a nearby building located in another city and to maintain and promote business within the City of Novi, we are seeking a variance of the ordinance.



ACCESS-POINT

42400 Grand River Ave  
Suite 200  
Novi, MI  
48375

(866) 513-3861  
fax (866) 513-3884

accesspointhr.com

January 30, 2013

City of Novi  
45175 West 10 Mile Road  
Novi, MI 48375

To Whom This May Concern:

Please accept my thanks in advance for your consideration of this request, my I am the CEO and majority shareholder of AccessPoint, LLC, we are currently a tenant in the Maxim Building located at 42400 Grand River Ave, Suite 200. As the largest tenant in the building we occupy most of the 2<sup>nd</sup> floor with our nearly 50 employees, 10 of which we have hired in the last 7 months, and our business continues to grow. We like our current location with easy expressway access, lots of restaurant options, as well as the visibility our location provides.

As we look to the future we believe that it is important to project a certain image which brings me to the substance of my request today which is for you to allow us to place our company name and logo via an exterior wall sign on the building. We believe this to be an important next step in helping us project the most favorable image possible, enhancing our name ID, increasing our visibility, and assisting our customers in locating our place of business. We have been pursued as a prospective tenant by a number of other landlords with available space in bordering communities and nearly all have found offered the ability to install an exterior sign as a benefit to relocating to their building. Just as the City of Novi has signs at the main entry points into the City, AccessPoint wants to proudly announce that we are here doing business in Novi Michigan.

I respectfully request that Infinity Homes & Co represent AccessPoint, LLC in all matters related to this request and whatever is needed to secure the proper approvals necessary to install the proposed sign on the building located at 42400 Grand River Avenue.

Thank you again for taking the time to review our request.

Sincerely,

Gregory J. Packer  
CEO  
AccessPoint, LLC





MINASIAN DEVELOPMENT CORP.

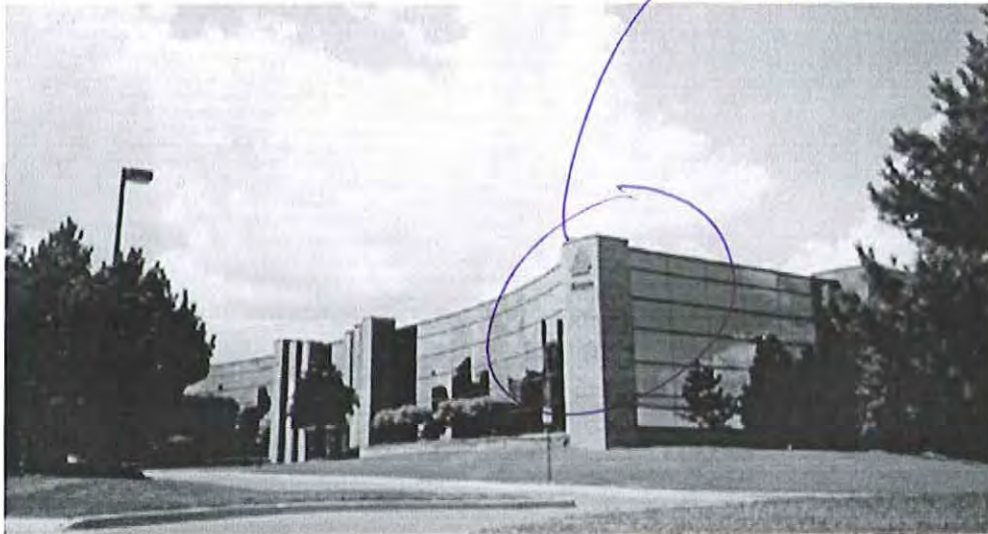
CONTACT SEARCH

- properties
- management
- construction
- brokerage
- corporate background
- home

**properties**  
commercial properties, available space, build to suit

Maxim Building  
42400 Grand River Avenue  
Novi  
Novi Chamber of Commerce

*Property had Building  
Signage with Previous  
TENANT. was removed AFTER  
TENANT vacated/Relocated*



[click photo for interactive map of building location]

### Maxim Building

Built in 1989, this two-story multi-tenant office/medical building has a spacious lobby with skylights and greenery. For tenants who aspire to peaceful and scenic beauty, this modern, well maintained 35,000 square foot building boasts incomparable views.

Its location, near the heart of downtown Novi, makes it convenient to the new Main Street development, with its shops, restaurants, and movie theaters, and convenient ingress and egress to I-96 and the M-5 highway.

The building is secured after normal business hours and on weekends. After-hours and weekend access is available via access control and tele-entry systems which are remotely monitored by the management

# SITE PLAN / Building Survey

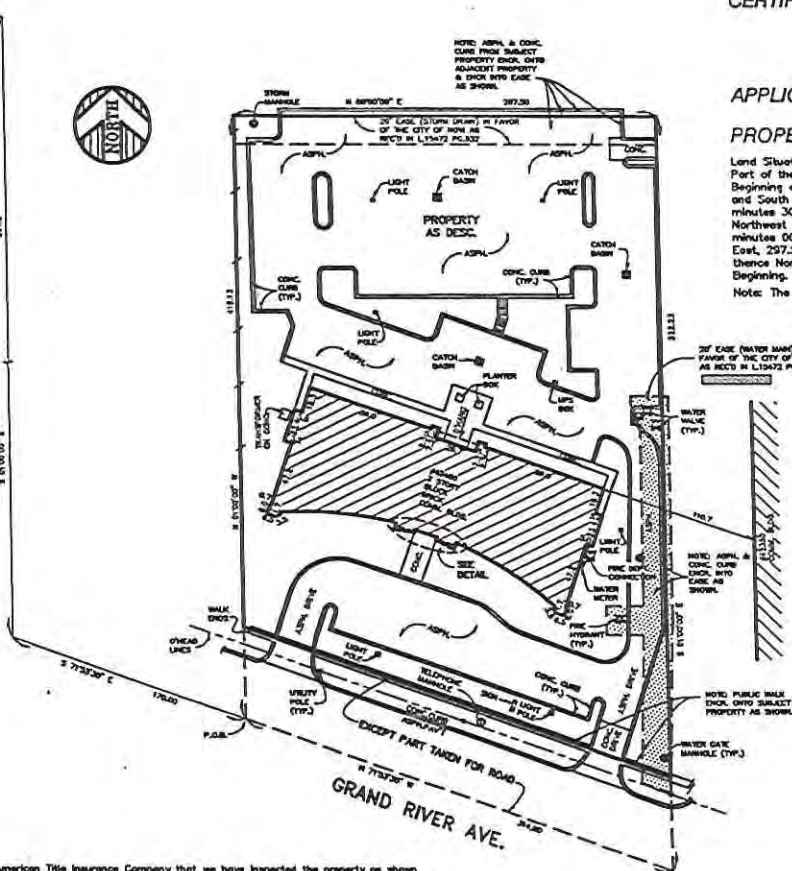
CERTIFIED TO: BANK OF BIRMINGHAM,  
FIRST AMERICAN TITLE INSURANCE COMPANY,  
AND FIRST CENTENNIAL TITLE COMPANY

APPLICANT: INFINITY | 42400 GRAND RIVER LLC

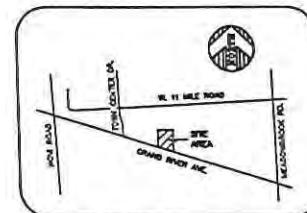
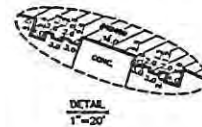
## PROPERTY DESCRIPTION:

Land Situated in the City of Novi, Oakland County, Michigan, described as:  
Part of the North 1/2 of Section 23, Town 1 North, Range 8 East, described as:  
Beginning at a point distance North 89 degrees 00 minutes 00 seconds East, 1031.25 feet  
and South 01 degrees 00 minutes 00 seconds East, 891 feet and South 71 degrees 53  
minutes 30 seconds East, 170 feet from the Northwest corner of the East 1/2 of the  
Northwest 1/4 of said Section 23 to the Point of Beginning; thence North 01 degrees 00  
minutes 00 seconds West, 419.13 feet; thence North 89 degrees 00 minutes 00 seconds  
East, 237.50 feet; thence South 01 degrees 00 minutes 00 seconds East, 522.23 feet;  
thence North 71 degrees 53 minutes 30 seconds West, 314.80 feet to the Point of  
Beginning. Except that part taken for road.

Note: The property description is as furnished by client.



NOTE: SURFACE LEVEL UTILITY  
FEATURES ARE FOR INFORMATIONAL  
PURPOSES ONLY AND SHOWN IN  
APPROXIMATE LOCATIONS. TRUE  
FEATURES MAY NOT BE SHOWN.



VICINITY MAP  
(NOT TO SCALE)

We certify to First American Title Insurance Company that we have inspected the property as shown (the "property") for purposes of a purchase to be received by INFINITY/42400 GRAND RIVER LLC from the Bank and further certify that: (i) buildings, improvements, and parking area are located on the Property as shown; (ii) locations for all existing buildings, improvements, and parking areas are within the boundaries of the Property and do not encroach on any adjoining property, nor do the building, improvements or parking areas on any adjoining property encroach upon the Property; (iii) all easements, rights-of-way and other similar encumbrances creating rights in, over, under, across or through the Property, or benefiting or burdening the Property, are noted and located on the survey and are identified by Liber and Page of recording of the instruments creating them (as taken from First American Title Insurance Company, Commitment No. 580349, Kem-Tec & Associates makes no guarantee of any non-recorded easements, rights-of-way or encumbrances which would not shown on a title search; (iv) the Property is not located within a Special Flood Hazard area as identified by the Federal Insurance Administration, Department of Housing and Urban Development.

THIS SURVEY DRAWING IS VOID IF THE  
PROFESSIONAL SEAL IS NOT IN BLACK INK.

**KEM-TEC** Professional Engineers & Surveyors  
 Eastland: 800.281.7222    Detroit: (313) 738.8877    Ann Arbor: (734) 964.8888    Grand Blanc: (810) 884.8889  
 Fax: (810) 772.4848    Fax: (248) 772.6448    Fax: (248) 994.8887    Fax: (810) 884.8888  
 www.kem-tecsurvey.com

|                                    |                 |
|------------------------------------|-----------------|
| PREPARED FOR: INFINITY HOMES CORP. |                 |
| DATE: 07/24/12                     | JOB #: 12-02337 |
| SCALE: 1"=50'                      | REV: 06/24/12   |
| DRW. BY: LAO/SLA                   | REV:            |

DATE: 07/24/12

ANTHONY T. SYDOR, JR.  
PROFESSIONAL SURVEYOR No. 47828



# Illuminated Channel Letters - Raceway Mounted - Access Point

Qty: 1 - 23.31 SqFt

Illuminated Channel Letters

Aluminum Construction

White Plex Faces (the logo will have 1st surface translucent orange vinyl)

White Trim Cap

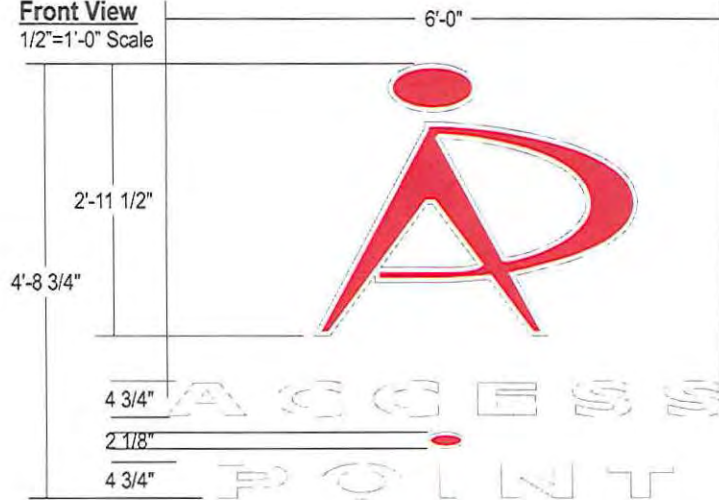
Internal White LED Illumination

Raceway Mount to Building

Field Survey for Raceway Color

## Front View

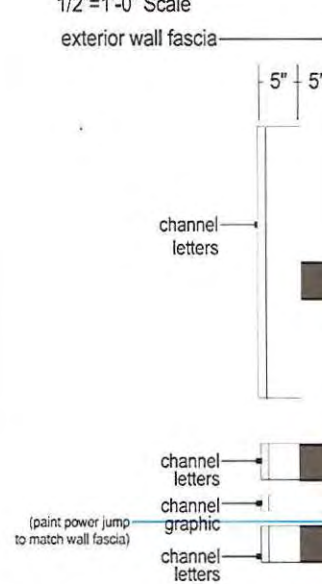
1/2"=1'-0" Scale



## Side View

1/2"=1'-0" Scale

exterior wall fascia



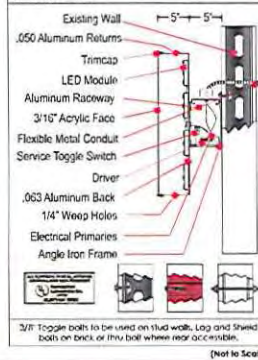
## Elevation - 1/8" = 1'-0" Scale



## Full Elevation of Side of Building - nts



## Fabrication Detail for Illuminated LED Channel Letters Raceway Mounted



## Color Provided 1-3-2013

PMS 185C Red

# Gardner signs

1095 Naughton Dr. Troy, MI 48083  
(248) 689-9100 T  
(248) 689-9101 F

3800 Airport Hwy. Toledo, OH 43615  
(419) 385-6669 T  
(419) 385-7046 F

www.gardnersigns.com

|                     |  |
|---------------------|--|
| <b>CLIENT:</b>      | Access Point                               |
| <b>PROJECT:</b>     | Wall Sign                                  |
| <b>LOCATION:</b>    | 42400 Grand River Avenue<br>Novi, MI 48375 |
| <b>SALESPERSON:</b> | Laurie Yarmy                               |
| <b>DESIGNER:</b>    | dmf  |
| <b>DATE:</b>        | 12/17/12                                   |
| <b>DESIGN #:</b>    |  |
| <b>REVISIONS:</b>   | 12/19/12 01/03/13                          |
| <b>SCALE:</b>       | Noted                                      |

### SALES AUTHORIZATION

SIGNED BY:

DATE:

### DESIGN AUTHORIZATION

SIGNED BY:

DATE:

### PRODUCTION AUTHORIZATION

CLIENT APPROVAL:

DATE:

PRODUCTION APPROVAL:

DATE:

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