



# 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)

## ZONING BOARD OF APPEALS STAFF REPORT

**FOR:** City of Novi Zoning Board of Appeals

**ZONING BOARD APPEALS DATE:** December 14, 2021

**REGARDING:** 44400 West 10 Mile Road, Parcel # 50-22-22-378-011 (PZ21-0074)

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

### I. GENERAL INFORMATION:

**Applicant**

Faith Community Presbyterian Church

**Variance Type**

Sign Variance

**Property Characteristics**

|                  |   |
|------------------|---|
| Zoning District: | Single Family Residential                         |
| Location:        | East of Taft Road and South of Grand River Avenue |
| Parcel #:        | 50-22-22-378-011                                  |

**Request**

The applicant is requesting variances from the City of Novi Code of Ordinances Sections 285(b)(2)(a) to allow installation of a 44.7 square foot ground sign (32.5 square feet allowed, variance of 12.2 square feet); 28.5(g)(3) to allow the sign to include 30.8 square feet of changeable copy (20 square feet allowed, variance of 10.8 square feet) and 28-5(a) to allow a sign height of 6 feet 4 inches (6 feet allowed, variance of 4 inches). This property is zoned Single Family Residential (R-4).

### 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. **PZ21-0074**, 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 is 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. **PZ21-0074**, 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 Petitioner's 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

NOV 01 2021

**APPLICATION MUST BE FILLED OUT COMPLETELY**

CITY OF NOVI  
COMMUNITY DEVELOPMENT

**Application Fee:** \_\_\_\_\_  
**Meeting Date:** \_\_\_\_\_  
**ZBA Case #:** PZ \_\_\_\_\_

| I. PROPERTY INFORMATION (Address of subject ZBA Case)  |  |   |                                |
|--|--|---|--------------------------------|
| PROJECT NAME / SUBDIVISION<br><b>FAITH COMMUNITY PRESBYTERIAN CHURCH</b>   |  |   |                                |
| ADDRESS<br><b>44400 W. 10 MILE ROAD</b>  |  | LOT/SIUTE/SPACE #   |                                |
| SIDWELL #<br>50-22-22 - 378 - 011  |  | May be obtain from Assessing Department (248) 347-0485  |                                |
| CROSS ROADS OF PROPERTY<br>SULLIVAN & 10 MILE ROADS  |  |   |                                |
| 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 checked="" type="checkbox"/> NO   |  |   |                                |
| II. APPLICANT INFORMATION  |  |   |                                |
| <b>A. APPLICANT</b>  |  | EMAIL ADDRESS<br>lberman@hainerberman.com   | CELL PHONE NO.<br>248-877-8126 |
| NAME<br>LEONARD K. BERMAN  |  | TELEPHONE NO.<br>248-877-8126   |                                |
| ORGANIZATION/COMPANY<br>FAITH COMMUNITY PRESBYTERIAN CHURCH  |  | FAX NO.<br>248-642-4101   |                                |
| ADDRESS<br>24255 W. 13 Mile Road, Suite 270  |  | CITY<br>BINGHAM FARMS   | STATE<br>MI                    |
| ZIP CODE<br>48025  |  |   |                                |
| <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.<br>N/A          |
| NAME<br>FAITH COMMUNITY PRESBYTERIAN CHURCH  |  | TELEPHONE NO.<br>248-349-2345   |                                |
| ORGANIZATION/COMPANY   |  | FAX NO.<br>N/A  |                                |
| ADDRESS<br>44400 W. 10 MILE ROAD   |  | CITY<br>NOVI  | STATE<br>MI                    |
| ZIP CODE<br>48375  |  |   |                                |
| III. ZONING INFORMATION  |  |   |                                |
| <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 checked="" 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 type="checkbox"/> TC-1 <input type="checkbox"/> OTHER _____  |  |   |                                |
| <b>B. VARIANCE REQUESTED</b>   |  |   |                                |
| INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:   |  |   |                                |
| 1. Section <u>28.5(b)(2)</u> Variance requested  |  | <u>12.2'</u> in overall size  |                                |
| 2. Section <u>28.5(g)(3)</u> Variance requested  |  | <u>10.8'</u> in EMC Active Area   |                                |
| 3. Section _____ Variance requested  |  | _____   |                                |
| 4. Section _____ Variance requested  |  | _____   |                                |
| IV. FEES AND DRAWINGS  |  |   |                                |
| <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 established within such a period; provided, however, where such use permitted is dependent upon the erection or alteration of 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

[Signature] on behalf of FCPC  
Applicant Signature

10/29/2021  
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.

[Signature]  
Property Owner Signature

10/31/21  
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



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## 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. **Describe below:**  
N/A

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 storm water facilities. **Describe below:**  
N/A

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. **Describe below:**  
N/A

- 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). **Describe below:**  
SEE ATTACHED

- 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. **Describe below:**  
SEE ATTACHED

## **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.

SEE ATTACHED

## **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.

SEE ATTACHED

Attachment To ZONING BOARD OF APPEALS APPLICATION

RE: FAITH COMMUNITY PRESBYTERIAN CHURCH

Faith Community Presbyterian Church (“FCPC”) has been a fixture in the Novi community for in excess of four decades. During that time, FCPC has not only served its members, but acted as the community food bank for those in need, even during COVID. FCPC has also served the local and global communities with numerous mission projects.

As the worship landscape has changed, FCPC finds its membership becoming depleted in favor of the new local “mega” church format. While larger churches serve the need for some, local “community” based churches need to survive for those that feel overwhelmed or “lost” in the larger environments. To that end, FCPC is in a fight for survivorship.

After extrusive research and many focus discussions, the current membership of FCPC reached the conclusion that we need to let the community know that we exist and to promote our programs. As a fixture set back from 10 Mile Road with a static sign that has not changed in decades, we feel like the fixture that goes unnoticed as it is always there. The membership feels so strongly about this project that the costs are 100% pre-funded by donations.

To effectively convey our message against the back-drop of an expansive lawn while vehicular traffic passes at 45 MPH, this variance is needed. This is especially true as the sign will be competing for the attention of drivers with the larger, far more expensive, signs in front of City Hall and, albeit to a lesser extent, the High School.

While arguments may be made that the entire sign structure could be relocated, this is simply impractical, if not impossible. Funds are extremely limited. As a result, we are retro-fitting this sign into the existing sign structure and, therefore, not creating a “new” sign on the property.

Finally, there is no impact to the surrounding area. No commercial business exists in the immediately vicinity. The police station, immediately across from FCPC, has no window that looks out at the property. As for residential impact, not a single home faces FCPC property.

Accordingly, by the grace of God, we ask that this variance requested is granted in hopes that we may move forward with our plan to stop the decline in membership at FCPC and reverse that trend; in order to allow FCPC to continue its service to the Novi community.



OVERALL SIZE OF SIGN IS 62" H X 104" WIDE (44.7 SQ FT) - ALLOWED 32.5 SQ FT  
 EMC ACTIVE LIVE AREA IS 44" H X 101" W (30.8 SQ FT) - EMC ALLOWED TO BE 20 SQ FT  
 \*The rest of sign is structure/frame and fillers\*

\*10MM EMC OPTION\*



www.johnsonsign.com

Corporate Office - Jackson  
 2240 Lansing Ave Jackson, MI 49202

Douglas Sign - Lansing  
 A Division of Johnson Sign  
 1800 S Cedar St Lansing, MI 48910

Huron Sign - Ypsilanti  
 A Division of Johnson Sign  
 663 S Mansfield St Ypsilanti, MI 48197

RENDERING OF PROPOSED

104"

101" EMC ACTIVE AREA



EXISTING



JOB NAME:  
 FAITH COMMUNITY  
 PRESBYTERIAN CHURCH  
 LOCATION:  
 44400 WEST 10 MILE RD  
 NOVI, 48375  
 ACCOUNT REP: JIM  
 DESIGNER: LE  
 REVISION: \_\_\_\_\_

NOTES:  
 REMOVE EXISTING  
 SIGN CABINET & ADD  
 NEW SIGN CABINET  
 WITH FULL COLOR  
 ELECTRONIC  
 MESSAGE CENTER

FILE NAME:  
 FAI-MS-041221--LE  
 SCALE:  
 3/4"=1'

This design and all material appearing hereon constitute the original unpublished work of Johnson Sign Co. may not be duplicated, used or disclosed without written consent.

THIS SIGN IS INTENDED TO BE MANUFACTURED IN ACCORDANCE WITH ARTICLE 600 OF THE NATIONAL ELECTRICAL CODE AND/OR OTHER APPLICABLE LOCAL CODES. THIS INCLUDES PROPER GROUNDING & BONDING OF THE SIGN. SIGN WILL BEAR UL LABEL(S).  
 JOHNSON SIGN CO DOES NOT PROVIDE PRIMARY ELECTRIC TO SIGN LOCATION RESPONSIBILITY OF OTHERS

CUSTOMER APPROVAL: \_\_\_\_\_ DATE: \_\_\_\_\_

