



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: January 8, 2019

REGARDING: 20735 Dunhill Dr, #50-22-32-400-013 (PZ18-0063)

BY: Larry Butler, Deputy Director Community Development

I. GENERAL INFORMATION:

Applicant

Chris Ketzler/Toll Brothers

Variance Type

Sign

Property Characteristics

Zoning District:	Single Family Residential
Location:	West of Beck Road and North of Eight Mile Road
Parcel #:	50-22-32-400-013

Request

The applicant is requesting a variance from the City of Nov Ordinance Section 28-6 for a of 44 square feet variance to allow the installation of a 64 square foot temporary sign, 20 square feet allowed. Section 28.6 for a 3 foot sign variance for proposed a 9 foot high sign, 6 feet allowed. This property is zoned Single Family Residential (R-1).

II. STAFF COMMENTS:

Sign is to locate in a 40 feet x 780 feet landscaped area for maketing.

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. **PZ18-0063**, 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. **PZ18-0063**, 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



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ZONING BOARD OF APPEALS APPLICATION

RECEIVED

NOV 28 2018

**CITY OF NOVI
 COMMUNITY DEVELOPMENT™**

APPLICATION MUST BE FILLED OUT COMPLETELY

Application Fee: 400.00
 Meeting Date: 1/8/19
 ZBA Case #: PZ 18-0063

I. PROPERTY INFORMATION (Address of subject ZBA Case)			
PROJECT NAME / SUBDIVISION <u>DUNHILL PARK</u>			
ADDRESS <u>20735 DUNHILL DR.</u>		LOT/SIUTE/SPACE #	
SIDWELL # <u>50-22-32-402-032</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY <u>BECK + 8 MILE</u>			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input checked="" type="checkbox"/> YES <input type="checkbox"/> NO		REQUEST IS FOR: <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 checked="" type="checkbox"/> YES <input type="checkbox"/> NO			
II. APPLICANT INFORMATION			
A. APPLICANT		EMAIL ADDRESS <u>CKETZLER@TOLLBROTHERS.COM</u>	
NAME <u>CHRIS KETZLER</u>		CELL PHONE NO. <u>(248) 909-8309</u>	
ORGANIZATION/COMPANY <u>TOLL BROTHERS</u>		TELEPHONE NO. <u>(248) 380-9011</u>	
ADDRESS <u>18086 SHAGBARK DR</u>		STATE <u>MI</u>	
CITY <u>NORTHVILLE</u>		ZIP CODE <u>48168</u>	
B. PROPERTY OWNER <input type="checkbox"/> CHECK HERE IF APPLICANT IS ALSO THE PROPERTY OWNER			
Identify the person or organization that owns the subject property:		EMAIL ADDRESS <u>CKETZLER@TOLLBROTHERS.COM</u>	
NAME <u>CHRIS KETZLER FOR TOLL BROTHERS</u>		CELL PHONE NO. <u>(248) 909-8309</u>	
ORGANIZATION/COMPANY <u>TOLL BROTHERS</u>		TELEPHONE NO. <u>(248) 380-9011</u>	
ADDRESS <u>18086 SHAGBARK DR.</u>		STATE <u>MI</u>	
CITY <u>NORTHVILLE</u>		ZIP CODE <u>48168</u>	
III. ZONING INFORMATION			
A. ZONING DISTRICT			
<input type="checkbox"/> R-A <input checked="" 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 <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. VARIANCE REQUESTED			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>28-6</u> Variance requested <u>(Temporary sign area) 20 sq. ft. allowed 61 sq. ft. requested</u> 2. Section <u>28-6</u> Variance requested <u>Max height 6 ft. = (44 sq. ft.) variance required</u> 3. Section _____ Variance requested _____ 4. Section _____ Variance requested _____ <u>requesting 9 ft.</u>			
IV. FEES AND DRAWINGS			
A. FEES			
<input type="checkbox"/> Single Family Residential (Existing) \$200 <input type="checkbox"/> (With Violation) \$250 <input type="checkbox"/> Single Family Residential (New) \$250 <input type="checkbox"/> Multiple/Commercial/Industrial \$300 <input type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> Signs \$300 <input checked="" type="checkbox"/> (With Violation) \$400 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600			
B. DRAWINGS 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
<ul style="list-style-type: none"> Dimensioned Drawings and Plans Site/Plot Plan Existing or proposed buildings or addition on the property Number & location of all on-site parking, if applicable Existing & proposed distance to adjacent property lines Location of existing & proposed signs, if applicable Floor plans & elevations Any other information relevant to the Variance application 			



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

Applicant Signature _____

Date _____

11/28/18

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.

Property Owner Signature _____

Date _____

11/28/18

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

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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.

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:

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:

THE SIGN IS LOCATED IN A LANDSCAPED AREA THAT IS 40' WIDE X 780' LONG. THE SIZE OF THE SPACE IS SUITABLE FOR THE EXISTING SIGN WE ARE REQUESTING TO HAVE THE VARIANCE EXTENDED.

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:

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.

THE CURRENT SIGN SERVES AS A MARKETING TOOL FOR THE COMMUNITY, THAT BOTH ALERTS PASSING TRAFFIC OF OUR PRESENCE, AND LOCATES THE COMMUNITY FOR OUR VISITING CUSTOMERS. THERE IS A CONSIDERABLE AMOUNT OF TRAFFIC PASSING THROUGH THE 8 MILE + BECK INTERSECTION THAT WOULD NOT BE CAPTURED WITHOUT MAINTAINING THE PRESENCE OF THE EXISTING SIGN.

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.

THE SIGN IS LOCATED IN AN AREA THAT IS COMMON TO THE COMMUNITY IT SERVES. IT SITS IN A LANDSCAPED AREA, AND BLENDS WITH ITS SURROUNDINGS. IT DOES NOT INTERFERE WITH THE SURROUNDING OR ADJACENT PROPERTIES. THE SIGN IS PROFESSIONAL AND TASTEFULLY SITS IN ITS SURROUNDINGS

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