

# 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

MEETING DATE: October 8, 2024

## REGARDING: 41400 Ten Mile Road # 50-22-23-426-009 (PZ24-0051)

BY: Alan Hall, Deputy Director Community Development

## GENERAL INFORMATION:

Applicant Citizens Bank

## Variance Type

Sign Variance

## Property Characteristics

Zoning District:	This property is zoned General Business (B-3)
Location:	on the northeast corner of Ten Mile Road and Meadowbrook Road
Parcel #:	50-22-23-426-009

## <u>Request</u>

The applicant is requesting variances from the City of Novi Sign Ordinance Section 28-5(a) to allow a ground sign at 15 ft. in height (6 ft. allowed, variance of 9 ft.); Section 28-5(b)(2)a. to allow a 50.16 sq. ft. ground sign (43 sq. ft. allowed, variance of 7.16 sq. ft.).

## II. STAFF COMMENTS:

The applicant, Citizens Bank, is seeking (2) sign variances to provide a new pylon sign. One is for matching the previous pylon sign height of 15', which is no longer there, thus needing a 9-foot height variance. The other is to increase the area of this same pylon sign 7.16 SF more than what the current ordinance allows for a ground sign.

There are other signs planned to be on the property that may require ZBA approval, but the pylon sign is what needs to be discussed for this meeting.

## III. RECOMMENDATION:

## The Zoning Board of Appeals may take one of the following actions:

	t we <b>grant</b> the variance in Case No. <b>PZ24-0051</b> , sought by, because Petitioner has shown practical difficulty including requiringon the basis of any of the following:
a.	That 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 including
b.	That 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
C.	That the grant of relief would be offset by other improvements or actions, such as increased setbacks or increased landscaping, such that the net effect will result in an improvement of the property or the project
d.	That construction of a conforming sign would require the removal or significant alteration of natural features on the property because
e.	The grant of relief 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 because
	·

The variance granted is subject to:

-	

I move that we **deny** the variance in Case No. **PZ24-0051**, sought by \_\_\_\_\_\_, for\_\_\_\_\_\_ because Petitioner has not shown practical difficulty because: \_\_\_\_\_\_

a. That the request is based upon circumstances or features that are not exceptional and/or unique to the property and/or that result from conditions that exist generally in the city or that are self-created including \_\_\_\_\_

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- b. That the failure to grant relief will not unreasonably prevent or limit the use of the property and/or will not result in substantially more than mere inconvenience or inability to attain a higher economic or financial return because \_\_\_\_\_
- c. That the grant of relief would not be offset by other improvements or actions, such as increased setbacks or increased landscaping, such that the net effect will not result in an improvement of the property or the project because \_\_\_\_\_
- d. That construction of a conforming sign would not require the removal or significant alteration of natural features on the property because \_\_\_\_\_
- e. The grant of relief will result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will not result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is inconsistent with the spirit and intent of this chapter because \_\_\_\_\_\_

Should you have any further questions with regards to the matter please feel free to contact me at (248) 347-0423.

Alan Hall – Deputy Director Community Development - City of Novi



15

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# ZONING BOARD OF APPEALS

**APPLICATION** 

RECEIVED

AUG 3 0 2024

**CITY OF NOVI COMMUNITY DEVELOPMENT** 

#### **APPLICATION MUST BE FILLED OUT COMPLETELY**

I. PROPERTY INFORMATION (Add	Application Fee:	330.00					
PROJECT NAME / SUBDIVISION Citizens Bank - ground sign & regulatory signs				)-8-24			
ADDRESS 41400 Ten Mile Rd		LOT/SIUTE/SPACE #	•				
	May be o		ZBA Case #: PZ_2	4-0051			
SIDWELL # 23 . 426 . 009 May be obtain from Assessing Department (248) 347-0485 Cores ROADS OF PROPERTY SW corner of Ten Mile Rd and Meadowbrook Rd							
IS THE PROPERTY WITHIN A HOMEOWNER'S ASS	τu						
		REQUEST IS FOR:					
DOES YOUR APPEAL RESULT FROM A NO	TICE OF VIOLATION OR C		s 🕅 NO				
II. APPLICANT INFORMATION			CELL PHONE NO.				
A. APPLICANT	kdete	rs@metrosal.com	586-557-4189				
<b>Kevin Deters</b>			TELEPHONE NO. 586-759-2700				
ORGANIZATION/COMPANY Metro	Signs & Light	ing	FAX NO.				
ADDRESS 11444 Kaltz AV	/e	Warren	STATE MI	ZIP CODE 48089			
B. PROPERTY OWNER CHECK H	ERE IF APPLICANT IS ALSO	THE PROPERTY OWNER					
Identify the person or organization that owns the subject property:		itizensbank.com	CELL PHONE NO. 978-962-2382				
NAME Carl Wall			TELEPHONE NO.				
ORGANIZATION/COMPANY			FAX NO.				
ADDRESS		CITY	STATE				
One Citizens Bank Way		Johnston	RI	02919			
III. ZONING INFORMATION A. ZONING DISTRICT							
🗆 R-A 🗌 R-1 🗍 R-2	🗌 R-3 🗌 R-4	🗍 RM-1 🗌 RM-2	🗆 мн				
□ I-1 □ I-2 □ RC	🗆 тс 🛛 ТС-1		•				
B. VARIANCE REQUESTED							
INDICATE ORDINANCE SECTION (S) AND 1. Section 28-5(a)		To allow a ground sig	an at 15' high (6' l	nigh allowed)			
2. Section 28-5(b)(2)a.	Variance requested	To allow a 50.16 sf g					
3. Section      4. Section							
	valiance requested						
IV. FEES AND DRAWNINGS							
Single Family Residential (Existin	g) \$220 🛛 (With Violo	ition) \$275 🗌 Single Fam	ily Residential (New) S	\$275			
Multiple/Commercial/Industrial	\$330 🗌 (With Viola	ition) \$440 🗶 Signs \$330	$\Box$ (With Violation)	\$440			
□ House Moves \$330 □ Special Meetings (At discretion of Board) \$660							
B.       DRAWINGS       1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF         • Dimensioned Drawings and Plans       • Existing & proposed distance to adjacent property lines         • Site/Plot Plan       • Location of existing & proposed signs, if applicable         • Number & location of all on-site parking, if applicable       • 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** <u>ten-(10)</u> 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 DADDITION TO EXISTING HOME/BUILDING X SIGNAGE

ACCESSORY BUILDING

# VI. APPLICANT & PROPERTY SIGNATURES

A. APPLICANT Applicant Signature - Kevin Detters	8-30-24 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.						
Carl Wall - Citizens						
Carl Wall - Citizens	8/29/24					
Property Owner Signature	Date					
VII. FOR OFFICIAL USE ONLY						
DECISION ON APPEAL:						
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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# ZONING BOARD OF APPEALS VARIANCE APPLICATION CHECKLIST

The following items are required for a complete Variance application. Incomplete applications will be returned.

## **Signed Application Form**

Complete the Zoning Board of Appeals application form. Application must be signed by the applicant and the property owner (if different).

## Response to Variance Review Standards – Dimensional, Use, or Sign

Select the applicable Review Standards for the requested Variance and complete in full. Use additional paper if needed. If you don't know which Review Standards to complete, call the Community Development Department at 248.347.0415 for guidance.

## Dimensioned Site Plan (1 copy & 1 digital copy submitted as a PDF)

- Existing or proposed buildings or additions on the property.
- Number and location of all on-site parking spaces.
- Existing and proposed distances to adjacent property lines.
- Location of existing and proposed signs, if applicable.
- Any other information relevant to the Variance application.

## Dimensioned Drawings and Plans (1 copy & 1 digital copy submitted as a PDF)

- Floor plans and elevations with all proposed buildings and additions.
- All existing and proposed signs on the property (photographs may be used).
- For use variances, include floor plan showing the existing and proposed layout and functions of each area.
- For multi-family residential structures or projects, a summary showing the existing and proposed number of dwelling units by type (efficiency, one-bedroom, two-bedroom, etc.)

## Other Helpful Information – Optional (1 copy & 1 digital copy submitted as a PDF)

- Photographs of the lot or structure that shows the special conditions or circumstances described in the application.
- Photographs or maps that show how other properties in the area enjoy the same type of property rights related to the Variance.
- Letters of support from the neighbors who would be most affected by your request.

Fee (make check payable to the City of Novi)

Single Family Residential (Existing) \$220 (With Violation) \$275 Single Family Residential (New) \$275 Multiple/Commercial/Industrial \$330 (With Violation) \$440 Signs \$330 (With Violation) \$440 House Moves \$330 Special Meetings (At discretion of Board) \$660

## Additional Information

In the course of reviewing the application, the Planning Department staff may request additional information from the applicant.



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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:

If their proposed ground sign were 6 feet high, then a large portion of the sign would be blocked by the landscaping along both 10 Mile Rd and Meadowbrook Rd. If the proposed regulatory signs were only 1 sq foot, then they would not be legible because the text would only be 1 or 2 inches high.

## 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.

X 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).

X 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
 X Applicable
 If applicable, describe below:

Citizens is going through a sign remodel to reflect their new logo and branding. They have an existing pylon sign. Since that sign was installed, the ordinance has changed. Now a monument sign at 6 feet OAH is allowed. The need for the hight variance was not created by Citizens or the property owner.

# 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.

A 6 foot tall ground sign would significantly decrease Citizens Bank's visibility compared to their existing pylon sign. Furthermore, a 6' tall sign would be partially blocked by the landscaping at the site. Having regulatory signs that are only 1 sq foot would be almost useless. They would not be legible because the text would only be 1 or 2 inches high.

# Standard #3. Adverse Impact on Surrounding Area.

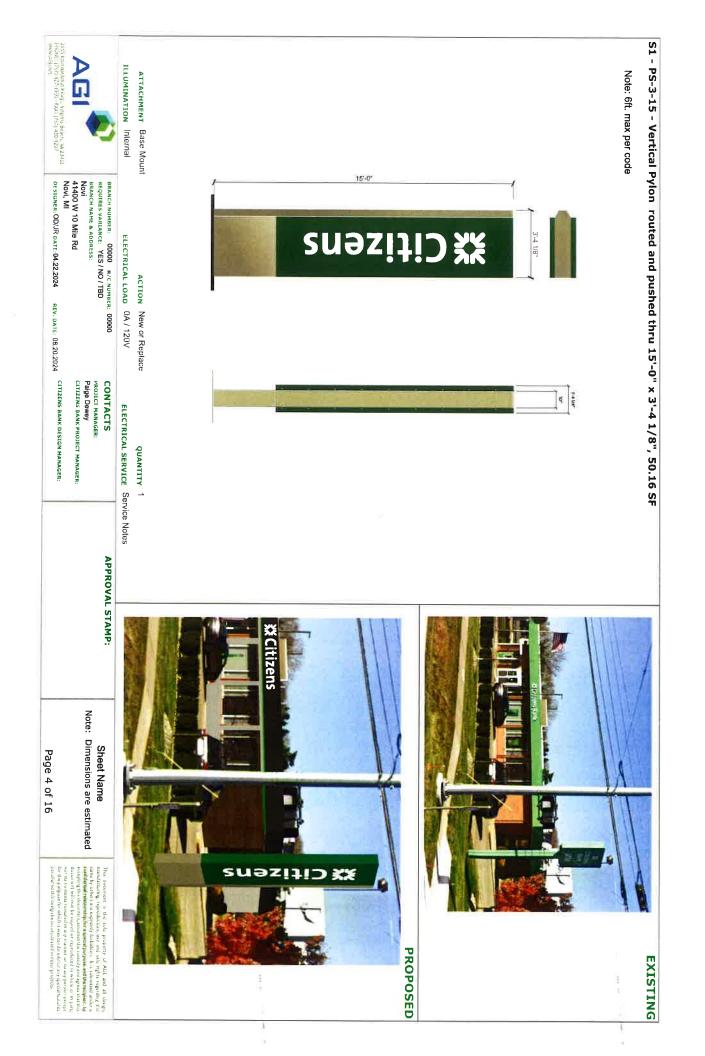
Explain how the Sign Variance will not result in a use or structure that is incompatible with or unreasonably interferes with adjacent or surrounding properties, will result in substantial justice being done to both the applicant and adjacent or surrounding properties, and is not inconsistent with the spirit and intent of this chapter.

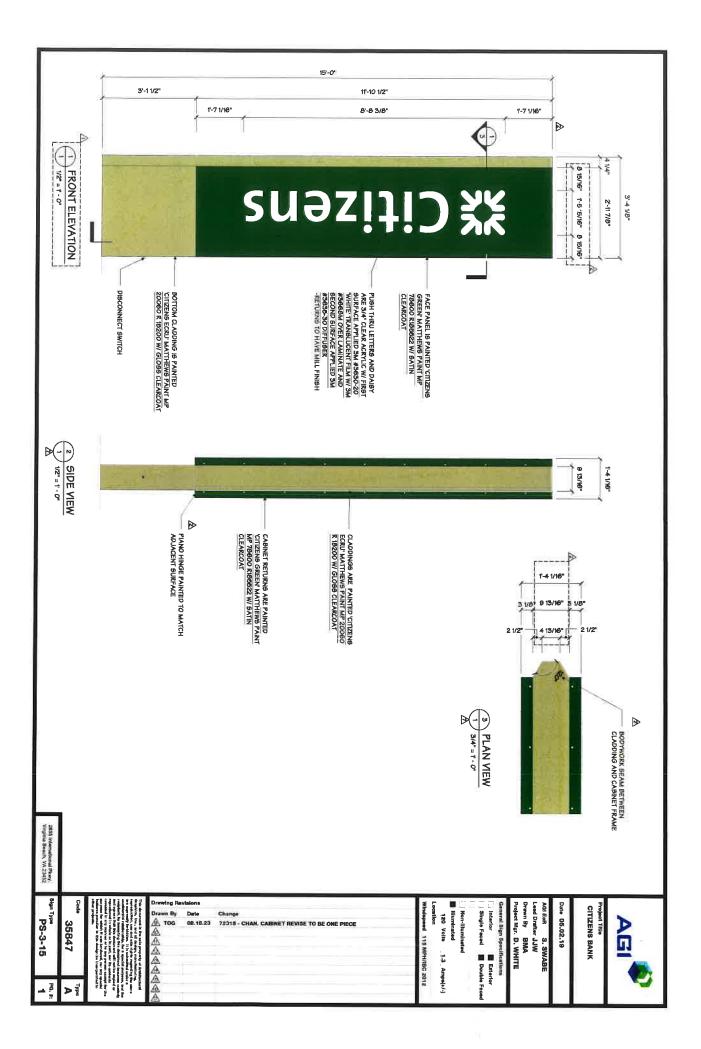
We are asking to replace their existing pylon sign with a new ground sign that is comparable in size. Also, the regulatory signs are replacing the existing signs "like for like." Therefore, if this ZBA request is granted, it will not have a negative impact on any surrounding properies,

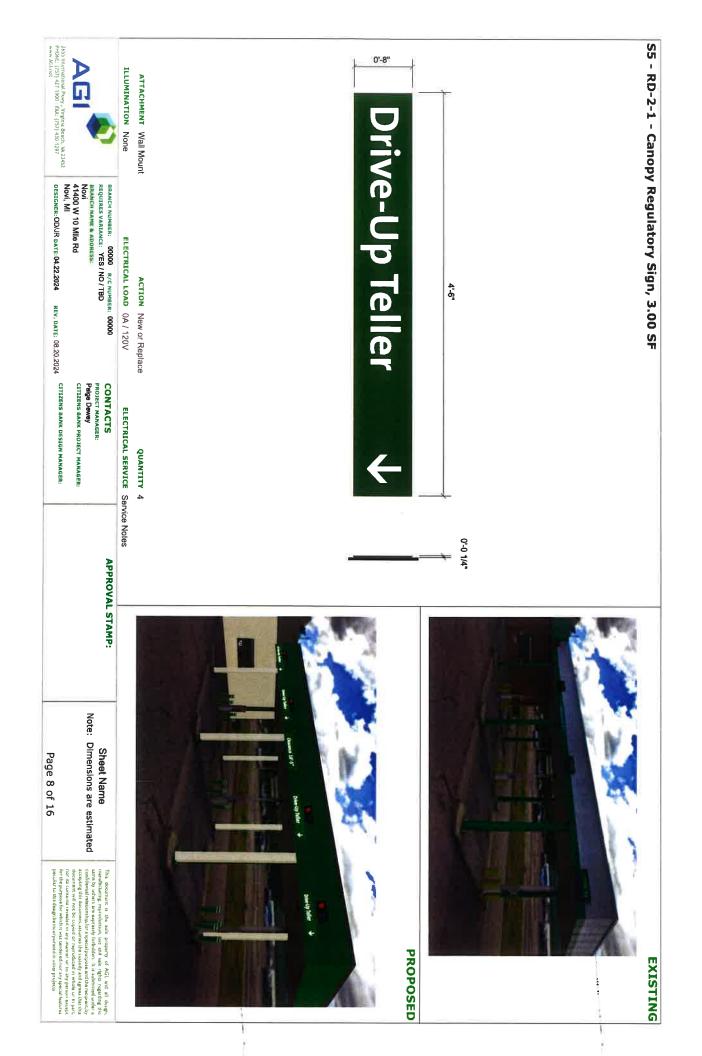
# Sign # SS 8S S7 SS SS Ś Do Not Enter regulatory directional Drive-Up Teller panel on canopy Do Not Enter panel on canopy Clearance panel on canopy Dropbox graphics DESCRIPTION pylon sign 4'-1.5" x 3'-1.5" = 12.89 0'-8" x 4'-6" = 3 sq feet 0'-8" x 4'-6" = 3 sq feet 0'-8" x 4'-6" = 3 sq feet 15' high x 3'-4.125" wide = 50.16 sq feet 1'-6" x 1'-8" = 2.5 sq MEASUREMENTS sq feet feet 6 feet OAH allowed. Actual area of the sign cabinet is 11'-10.5" high x 2'-11.875" = 35.5 sq feet – 43 sq feet is allowed based on an 86 foot setback from the center of 10 Mile Rd 1 sq foot allowed COMMENT

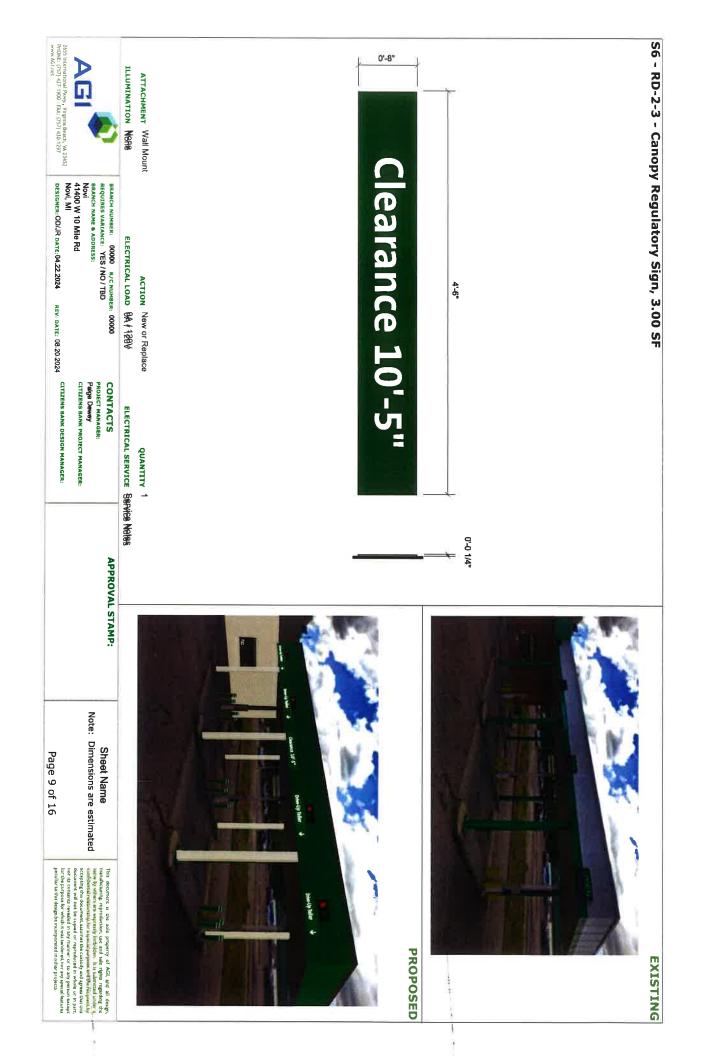
Citizens Bank – signs for ZBA 41400 Ten Mile Rd Novi, MI

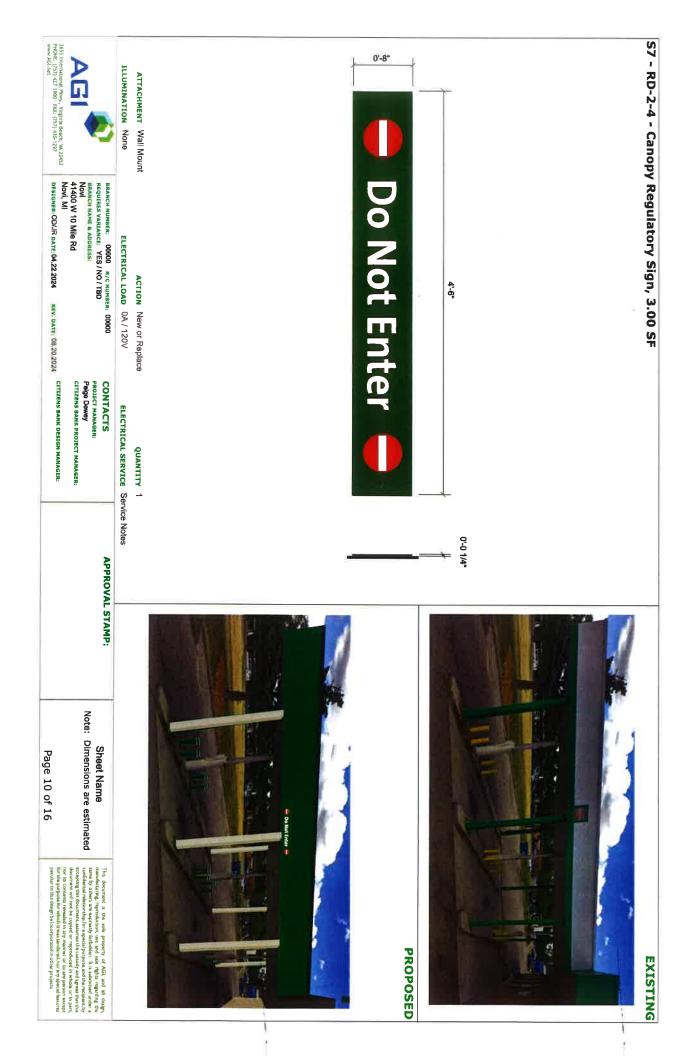




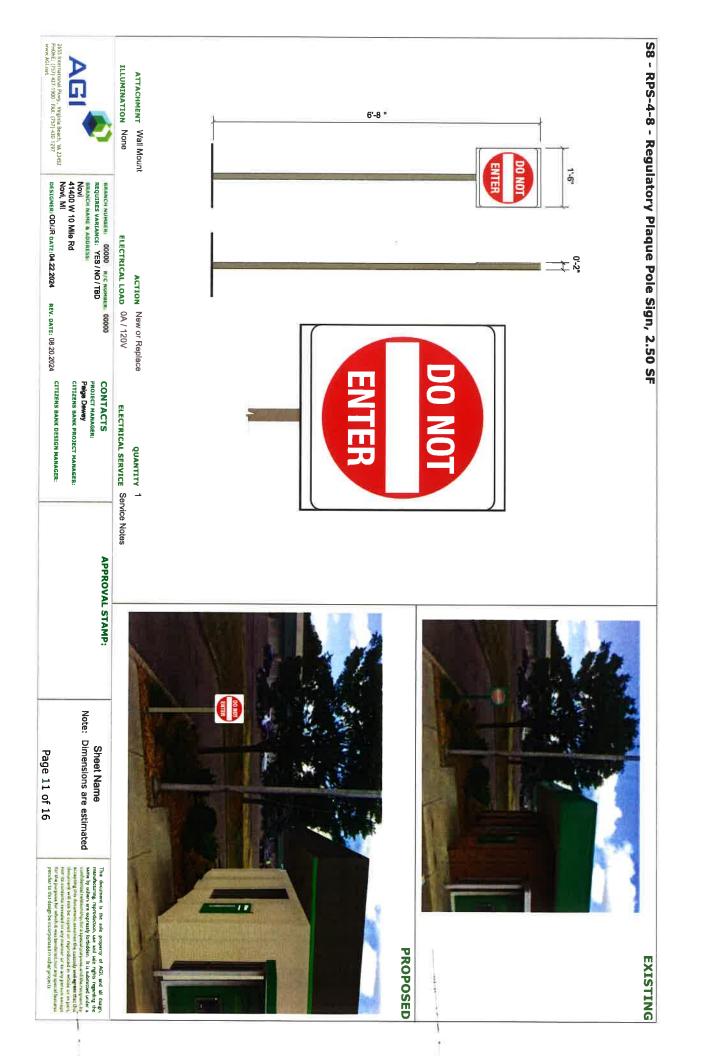








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