



## 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:** August 11, 2015

**REGARDING:** RALLY HOUSE (CASE NO. PZ15-0019)

**BY:** Thomas M. Walsh, Building Official

### I. GENERAL INFORMATION:

#### Applicant

Metro Detroit Signs on the behalf of Rally House

#### Variance Type

Sign Variance

#### Property Characteristics

Zoning District:

TC, Town Center

Site Location:

Crescent Blvd., east of Novi Road and north of Grand River Ave.

Parcel #:

50-22-14-351-063

#### Request

The applicant is requesting a variance from CITY OF NOVI, CODE OF ORDINANCES, Section 28-5(3) to allow a second (single wall sign allowed in a TC, Town Center District) wall sign.



II. ZONING AND LAND USE:

The table below lists the zoning district, existing land use and future land use for the subject site and surrounding parcels.

Parcel	Zoning District	Existing Land Use	Future Land Use
<b>Subject Property</b>	TC, Town Center	Novi Town Center	TC, Commercial
<b>North</b>	TC, Town Center	Novi Town Center	TC, Commercial
<b>South</b>	TC, Town Center	Novi Town Center	TC, Commercial
<b>East</b>	TC, Town Center	Novi Town Center	TC, Commercial
<b>West</b>	TC, Town Center	Novi Town Center	TC, Commercial

III. STAFF COMMENTS:

**Proposed Changes**

The applicant is requesting approval for installation of a second wall sign for an existing retail business. The applicant is entitled to a single wall sign under the Novi Sign Ordinance. The applicant is requesting to install a second wall sign on the rear elevation. See attached drawings.

IV. RECOMMENDATION:

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

1. I move that we **grant** the variance in Case No. **PZ15-0019**, 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. **PZ15-0019**, 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



\_\_\_\_\_  
Thomas M. Walsh  
Building Official  
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

RECEIVED

JUN 25 2015

CITY OF NOVI  
COMMUNITY DEVELOPMENT

<b>I. PROPERTY INFORMATION (Address of subject ZBA Case)</b>			
PROJECT NAME / SUBDIVISION Rally House wall sign			
ADDRESS 43227 Crescent Blvd.		LOT/SUITE/SPACE #	
SIDWELL # 50-22- <u>14</u> <u>351.063</u>		May be obtain from Assessing Department (248) 347-0485	
CROSS ROADS OF PROPERTY At Novi Town Center Shopping Mall			
IS THE PROPERTY WITHIN A HOMEOWNER'S ASSOCIATION JURISDICTION? <input type="checkbox"/> YES <input checked="" 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 type="checkbox"/> YES <input checked="" type="checkbox"/> NO			
<b>II. APPLICANT INFORMATION</b>			
<b>A. APPLICANT</b>		EMAIL ADDRESS Kdeleers@metrodetroit signs.com	
NAME Metro Detroit Signs		CELL PHONE NO. 810-343-0074	
ORGANIZATION/COMPANY Metro Detroit Signs		TELEPHONE NO. 586-759-2700	
ADDRESS 23544 Hoover Rd.		CITY Warren	FAX NO. 586-759-2703
		STATE MI	ZIP CODE 48089
<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 JGLIMC@WPGLIMC.ETC.COM	
NAME NOVI TOWN CENTER INVESTORS LLC		CELL PHONE NO. 248.345.9087	
ORGANIZATION/COMPANY WP GLIMCER AS AGENT		TELEPHONE NO. 248.347.3830	
ADDRESS 43259 CRESCENT BLVD		CITY NOVI	FAX NO. 248.347.3833
		STATE MI	ZIP CODE 48375
<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 <input type="checkbox"/> I-1 <input type="checkbox"/> I-2 <input type="checkbox"/> RC <input checked="" type="checkbox"/> TC <input type="checkbox"/> TC-1 <input checked="" type="checkbox"/> OTHER <u>OS-1</u>			
<b>B. VARIANCE REQUESTED</b>			
INDICATE ORDINANCE SECTION (S) AND VARIANCE REQUESTED:			
1. Section <u>28-5(3)</u> Variance requested <u>Variance request to allow a second wall sign</u>			
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 <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 <input type="checkbox"/> House Moves \$300 <input type="checkbox"/> Special Meetings (At discretion of Board) \$600			
<b>B. DRAWINGS</b> 1-COPY & 1 DIGITAL COPY SUBMITTED AS A PDF			
<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> <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

Paul B. Winter  
Applicant Signature

6-22-15  
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] GAM-NTC WP GUMCHER AS AGT  
Property Owner Signature    NOVI TOWN CENTER INVESTORS LLC

6.25.15  
Date

## VII. FOR OFFICIAL USE ONLY

### DECISION ON APPEAL:

GRANTED

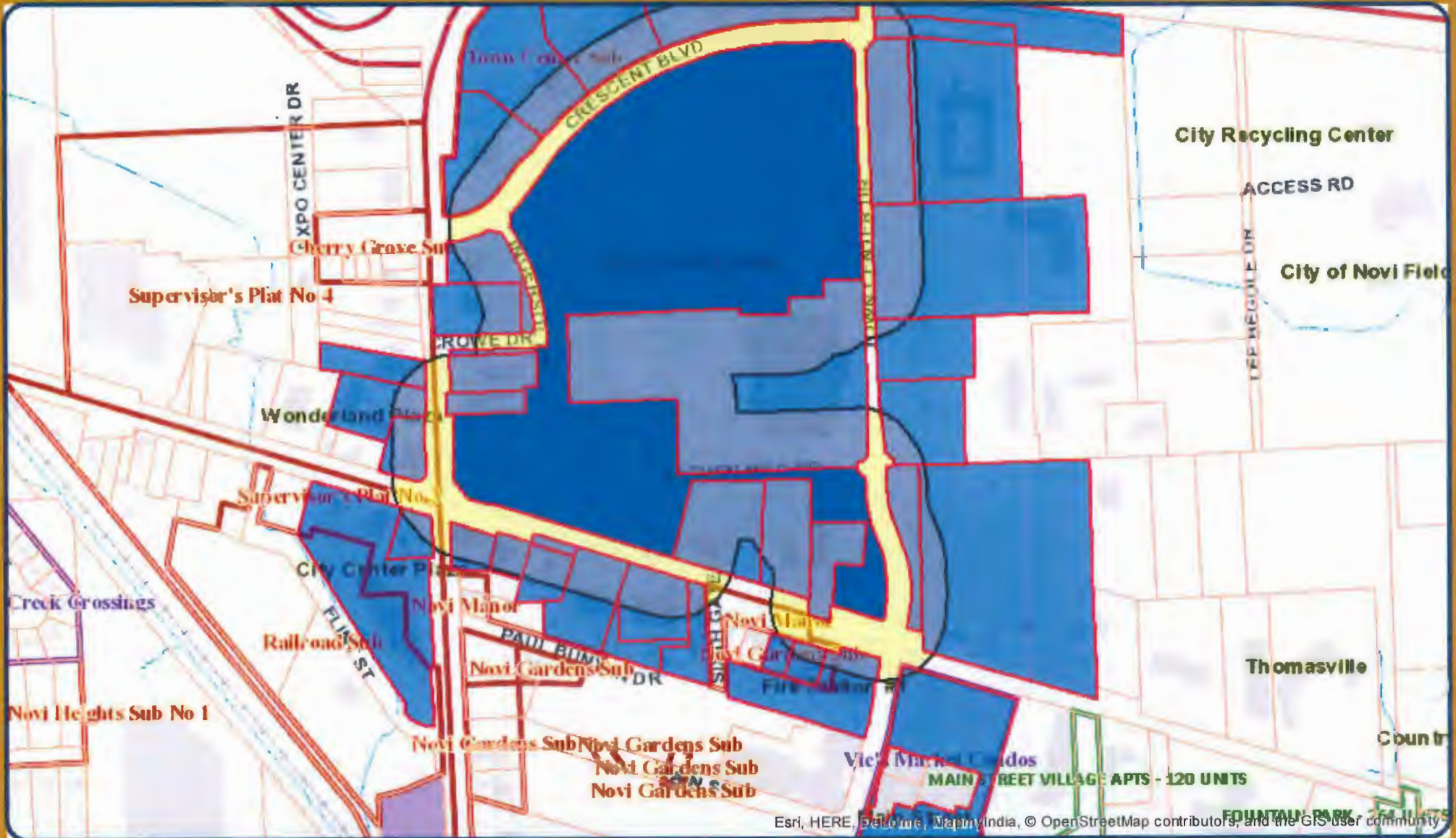
DENIED

The Building Inspector is hereby directed to issue a permit to the Applicant upon the following and conditions:

\_\_\_\_\_  
Chairperson, Zoning Board of Appeals

\_\_\_\_\_  
Date

# 43227 Crescent Blvd PZ15-0019



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### MAP INTERPRETATION NOTICE

Map information depicted is not intended to replace or substitute for any official or primary source. This map was intended to meet National Map Accuracy Standards and use the most recent accurate sources available to the people of the City of Novi. Boundary measurements and area calculations are approximate and should not be construed as survey measurements performed by a licensed Michigan Surveyor as defined in Michigan Public Act 132 of 1970 as amended. Please contact the City GIS Manager to confirm source and accuracy information related to this map. This map was produced under the terms of the City's Internet Site Use Policy available at <http://cityofnovi.org/Resources/SiteUsePolicy.asp>



Map Produced Using the  
City of Novi, Michigan  
Internet Mapping Portal



Author:  
Date: 7/14/2015



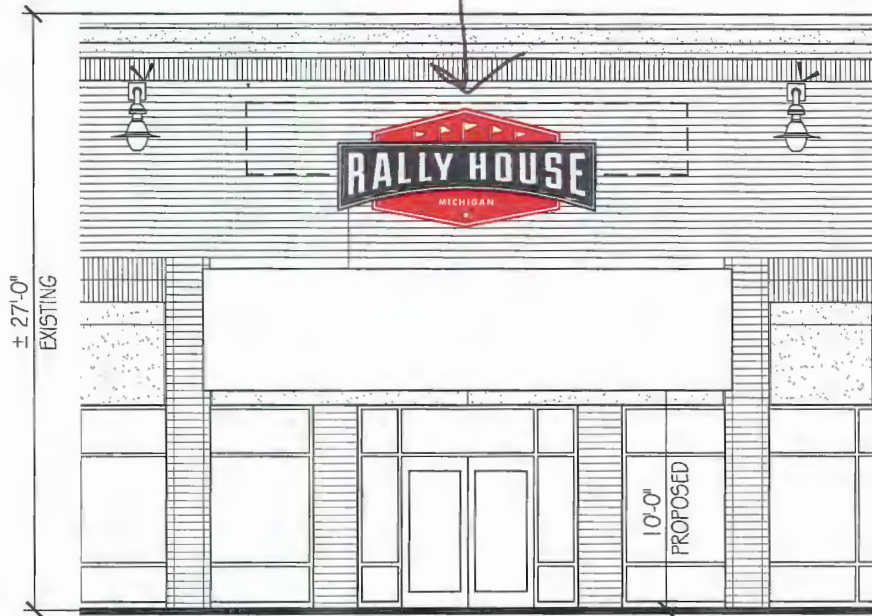
DATE: 6/25/15  
TO: City of Novi ZBA  
FROM: Kevin Deters  
Metro Detroit Signs  
RE: Rally House - 43227 Crescent Blvd.

**Cover Letter**

We have permit approval for the front wall sign at this Rally House location. The ordinance only allows for one wall sign, so we are applying for a variance for a 2<sup>nd</sup> (identical) wall sign. Rally House has a unique site in that they have entrances on two elevations. That is why we are requesting this sign so that their second entrance may be marked for pedestrians.

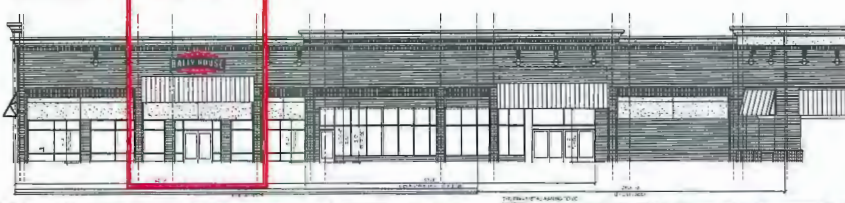
Feel free to call me at (586)759-2700 if anything else is needed. Thank you for your assistance.

Permit Approved



Front Elevation  
64.5 SQFT

Proposed  
SCALE: 1/32" = 1'-0"

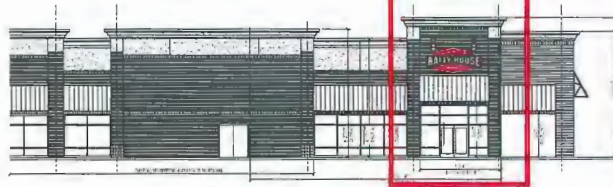


This sign needs a variance



Rear Elevation  
64.5 SQFT

Proposed  
SCALE: 1/32" = 1'-0"



COLOR SPECS

- PMS 485C RH Red
- PMS 433C Blue

Job / Address:  
..... **RALLY HOUSE**  
AT NOVI TOWN CENTER

Sales Person: Barry

Drawing by: KKlyman

Scale:

Pages: 1 of 2



10447 Drummond Rd, Philadelphia, PA 19154  
215-827-8500 • 215-827-6501 fax

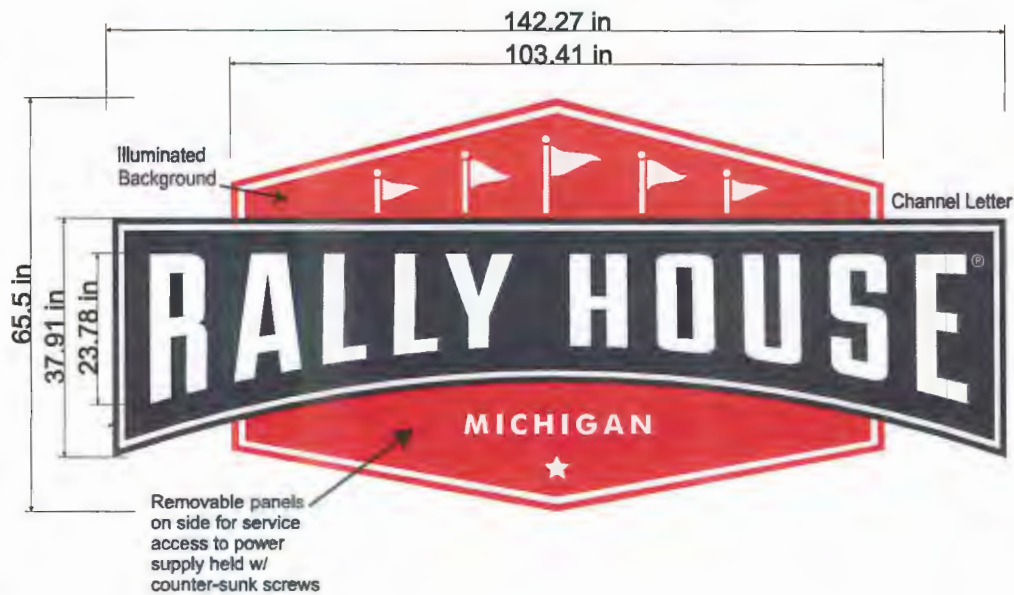
©2007 forman sign company. All rights reserved. No part of this document or the related files may be reproduced or transmitted in any form, or by any means electronic, copying, or otherwise without the prior written permission of forman sign company.  
barry@formansign.com

Dates / Revision: ...

File:

NOTES:





Front Elevation  
64.5 SGFT

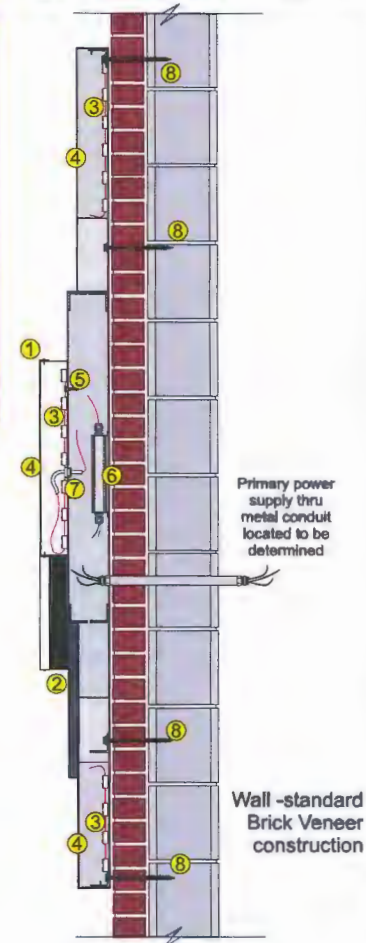
Rear Elevation  
64.5 SGFT

Two (2) Internally-illuminated Store Front Signs:  
 - Top Section; internally illuminated plastic face decorated w/ translucent vinyl  
 - Middle Section; individual face lit channelletters, w/ white acrylic faces, border is also a face lit channel letter, both mounted to fabricated shaped metal wiring chase  
 - Bottom Section; internally illuminated plastic face decorated w/ translucent vinyl



- 1) 1" Trim cap - WHITE  
w/ sheet-metal screw painted to match trim cap
- 2) Case- w/ 1/4" dia drain holes- BLACK
- 3) LEDs - WHITE
- 4) Plastic face- white acrylic; Red vinyl applied to top and bottom parts of sign
- 5) Galv. #10 hex-head sheet-metal screw attaching letter to .125" alum face
- 6) Power supply w/ Class II low voltage wiring & w/ cut-off switch for Primary Service
- 7) Porcelain bushing
- 8) 3/8" x 5" Galv. Tapcon Masonry Screws on 3' centers or as required

Rally House Mounting (TYP)



COLOR SPECS

- PMS 485C RH Red
- PMS 433C Blue

20amp rated weatherproof Cut-off switch mounted to side of sign

Job / Address:  
RALLY HOUSE  
AT NOVI TOWN CENTER

Sales Person: Barry

Scale:

Drawing by: KKlyman

Pages: 2 of 2



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barry.j@formansigns.com

Dates / Revision: ...

File:

NOTES:



**REVIEW STANDARDS  
SIGN VARIANCE  
CITY OF NOVI  
Community Development Department  
(248) 347-0415**

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 physical shape, topography or other physical condition of a lot or due to the location of an existing structure.

Not Applicable     Applicable    If applicable, describe below:

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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:

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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:

We are asking for a 2nd sign in addition to the sign that will be installed over their front entrance. This site is set back far from the road, which decreases visibility. Furthermore, Rally House would like a sign on the 2nd elevation because it is essential to have a sign above both of their entrances.

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:

Rally House has a large amount of frontage, and they also have frontage on two elevations. It is essential for them to have a wall sign above both of their entrances.

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:

Unlike most of the neighboring businesses in the shopping center, Rally House has entrances to their store on two elevations. Consequently, they need a wall sign over each entrance.

## 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.

Not having a second wall sign would essentially make Rally House's second entrance useless.

## Standard #4. Adverse Impact on Surrounding Area.

Explain how the Sig 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

Rally House, unlike most of the neighboring businesses in that shopping center, has two entrances on two elevations. Furthermore, the second wall sign we are asking for is identical to the front sign that has already been approved. Therefore, we know our proposed second wall sign is aesthetically pleasing and that it is also consistent with the design standards and the intent of the ordinance.